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Committee of Experts on Public Administration
Fifteenth session
18-22 April 2016
Item 2 of the provisional agenda
Adoption of the agenda and other organizational matters

Provisional annotated agenda

1. Election of officers.
2. Adoption of the agenda and other organizational matters.
3. Moving from commitments to results: transforming public institutions to facilitate inclusive policy formulation and integration in the implementation and monitoring of the Sustainable Development Goals:
   (a) Ensuring prioritization and decision-making that is fair, responsive, inclusive, participatory and accountable at all levels;
   (b) Improving engagement and communication between Governments and stakeholders, including through access to information, open government and electronic and mobile solutions;
   (c) Ensuring effective and innovative implementation, monitoring and impact evaluation of the policies identified in support of the Sustainable Development Goals;
   (d) Strengthening the confidence of citizens in the effectiveness, validity and integrity of public administration through enhanced, targeted efforts to use good governance to prevent, expose and deal with corruption;
   (e) Developing transformative leadership and enhancing relevant competencies of public servants.
4. Provisional agenda for the sixteenth session of the Committee.
5. Adoption of the report of the Committee on its fifteenth session.

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Annotations

1. Election of officers

The Committee will elect a Chair, three Vice-Chairs and a Rapporteur for its fifteenth session. The Chair, Vice-Chairs and Rapporteur constitute the Bureau. In accordance with established practice, the officers will continue to act as the Bureau during the intersessional period in preparation for the sixteenth session.

2. Adoption of the agenda and other organizational matters

The Committee will adopt the agenda of the fifteenth session on the basis of the provisional agenda approved by the Economic and Social Council in its decision 2015/247.

The Committee is scheduled to meet from Monday to Friday, 18 to 22 April 2016. The morning meetings will be held from 10 a.m. to 1 p.m. and the afternoon meetings from 3 p.m. to 6 p.m. Informal meetings and events may be held at other times.

Documentation

Provisional annotated agenda (E/C.16/2016/1)

3. Moving from commitments to results: transforming public institutions to facilitate inclusive policy formulation and integration in the implementation and monitoring of the Sustainable Development Goals

At its coordination and management meeting held on 22 July 2015, the Economic and Social Council endorsed the Committee's recommendation that the Committee examine the transformation of public institutions to facilitate inclusive policy formulation and integration in the implementation and monitoring of the Sustainable Development Goals at its fifteenth session.

With regard to inclusive policy formulation, in its resolution 2015/28 on the report of the Committee on the fourteenth session, the Council underlined that attaining the Sustainable Development Goals and related targets, in accordance with national and local contexts and priorities, will require clarifying roles and responsibilities of public sector entities, civil society and private sector actors in policy design and implementation, taking into account pre-existing power structures. The Council encouraged Governments to foster the participation of citizens at all levels, in a trustful manner, in order to mobilize efforts and resources for achieving sustainable development. Moreover, the Council reaffirmed that access to public service by citizens should be a central concern of public sector transformation in pursuit of the Sustainable Development Goals, and encouraged Member States to create pathways to citizen engagement with a view to designing policies and strategies in an inclusive manner, inter alia, by strengthening regulatory processes of public consultation with all stakeholders at all levels.

Inclusive policy formulation has figured variously in the reports of the Committee in connection with citizen engagement in the implementation and monitoring of internationally agreed development goals. Most recently, at the fourteenth session, the Committee observed that the inclusion of stakeholders in government efforts to pursue the Sustainable Development Goals is essential and inevitable, given that Governments are challenged by the increasing demand to involve people in

decision-making processes. The Committee also noted that the earlier stakeholders are engaged, the better the outcome will normally be, bearing in mind that engaging stakeholder groups may require improving capacities and capabilities for participation in policy processes.

Regarding policy integration, the Council recognized that integrated policymaking, involving effective policy design and implementation, stakeholder engagement and coordination across government, calls for transformative leadership, creativity, critical thinking and analytical skills, supported by an enabling environment comprising, inter alia, lead agencies tasked with reducing fragmentation through a process of programme review, and behaviours that promote the sharing of data, information, knowledge, ideas and resources.

The Committee noted that integration is not "business as usual" for most Governments and that government administration is usually organized along sectoral lines with fragmented agenda-setting. The Committee also observed that policymaking is mostly sectoral in nature for a number of reasons and policy integration efforts should therefore not be seen as an alternative to sector-specific processes. Rather, the foundation of integration rests on effective policymaking within sectors, along with the ability to convince sectoral actors to explore the benefits of cross-sectoral cooperation.

The Committee found that institutional constraints to integrated policy formulation typically include overly hierarchical structures, lack of a common strategic policy direction, sectoral self-interest and a complicated division of labour. These structural challenges can be compounded by inadequate mechanisms for allocating resources for cross-cutting issues and ensuring shared accountability for shared responsibilities. Disincentives to policy integration among public servants typically include a lack of skills, perceived loss of power or authority, competition for resources and corruption.[1]

Documentation

Note by the Secretariat transmitting the expert paper on inclusive policy formulation and integration in the implementation of the Sustainable Development Goals (E/C.16/2016/2)

Conference room paper on preconditions and process design for successfully transforming public institutions for the implementation of the Sustainable Development Goals

Report of the expert group meeting on moving from commitments to results in building effective, inclusive and accountable institutions at all levels, United Nations Headquarters, 17 and 18 February 2016

Background note by the Secretariat on governance principles

(a) Ensuring prioritization and decision-making that is fair, responsive, inclusive, participatory and accountable at all levels

In connection with transforming public institutions to facilitate inclusive policy formulation and integration in the implementation and monitoring of the Sustainable

[1] See the report of the fourteenth session of the Committee of Experts on Public Administration, held from 20 to 24 April 2015, chapter III (E/2015/44-E/C.16/2015/7).

Development Goals, the Committee will consider the question of moving from commitments to results in ensuring prioritization and decision-making that is fair, responsive, inclusive, participatory and accountable at all levels.

Documentation

Note by the Secretariat transmitting the expert paper on diversity and non-discrimination in public administration: strategic levers for sustainable development (E/C.16/2016/3)

Conference room paper on the promotion of diversity in employment and an inclusive workplace culture

Conference room paper on community-driven development

Conference room paper on principles and mechanisms of sharing responsibilities and resources between national and local governments

(b) Improving engagement and communication between Governments and stakeholders, including through access to information, open government and electronic and mobile solutions

In connection with transforming public institutions to facilitate inclusive policy formulation and integration in the implementation and monitoring of the Sustainable Development Goals, the Committee will consider the question of moving from commitments to results in improving engagement and communication between Governments and stakeholders, including through access to information, open government and electronic and mobile solutions.

Documentation

Note by the Secretariat transmitting the expert paper on institutional capacity in the administration of public space in relation to the Sustainable Development Goals: interaction between government and society (E/C.16/2016/4)

Conference room paper on improving engagement and communication between Governments and stakeholders through online and mobile solutions

Conference room paper on evaluation of open government performance and results

(c) Ensuring effective and innovative implementation, monitoring and impact evaluation of the policies identified in support of the Sustainable Development Goals

In connection with transforming public institutions to facilitate inclusive policy formulation and integration in the implementation and monitoring of the Sustainable Development Goals, the Committee will consider the question of moving from commitments to results in ensuring effective and innovative implementation, monitoring and impact evaluation of the policies identified in support of the Sustainable Development Goals.

Documentation

Note by the Secretariat transmitting the expert paper on oversight institutions, mechanisms and standards of government administration (E/C.16/2016/5)

Conference room paper on promoting innovation and learning in the course of policy implementation

Conference room paper on public procurement

(d) Strengthening the confidence of citizens in the effectiveness, validity and integrity of public administration through enhanced, targeted efforts to use good governance to prevent, expose and deal with corruption

In connection with transforming public institutions to facilitate inclusive policy formulation and integration in the implementation and monitoring of the Sustainable Development Goals, the Committee will consider the question of moving from commitments to results in strengthening the confidence of citizens in the effectiveness, validity and integrity of public administration through enhanced, targeted efforts to use good governance to prevent, expose and deal with corruption.

Documentation

Note by the Secretariat transmitting the expert paper on enhancing efforts to use good governance to prevent, expose and deal with corruption: two significant measures (E/C.16/2016/6)

Conference room paper on public and parliamentary oversight of State bodies in the fight against corruption

Conference room paper on addressing the normalization of corruption in public institutions

(e) Developing transformative leadership and enhancing relevant competencies of public servants

In connection with transforming public institutions to facilitate inclusive policy formulation and integration in the implementation and monitoring of the Sustainable Development Goals, the Committee will consider the question of moving from commitments to results in developing transformative leadership and enhancing relevant competencies of public servants.

Documentation

Note by the Secretariat transmitting the expert paper on developing transformative leadership and enhancing relevant competencies of public servants (E/C.16/2016/7)

4. Provisional agenda for the sixteenth session of the Committee

The Committee will have before it a draft provisional agenda for its sixteenth session. In its resolution 68/1, the General Assembly called upon the Economic and Social Council to invite its subsidiary bodies to contribute, as appropriate, to its work in keeping with the Council's agreed annual theme. The theme of the 2017 session of the Council will be decided in 2016. The Committee may wish to propose a provisional agenda for the sixteenth session incorporating an item on the governance and public administration aspects of the 2017 theme.

5. Adoption of the report of the Committee on its fifteenth session

The Committee will adopt a report to be submitted to the Economic and Social Council on the work of its fifteenth session. In accordance with General Assembly resolution 68/1, the Committee shall include in its report an executive summary, and the report should be concise, clearly identifying the conclusions and recommendations and issues that may require attention and/or action by the Council. The Council may conduct an action-oriented review of the report and recommendations of the Committee, focusing attention on issues that require a prioritized and coordinated substantive response from the United Nations system as a whole.

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Economic and Social Council

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19 January 2016

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Committee of Experts on Public Administration
Fifteenth session
18-22 April 2016
Item 3 of the provisional agenda*
Moving from commitments to results: transforming public institutions to facilitate inclusive policy formulation and integration in the implementation and monitoring of the Sustainable Development Goals

Inclusive policy formulation and integration in the implementation and monitoring of the Sustainable Development Goals

Note by the Secretariat

The paper entitled "Inclusive policy formulation and integration in the implementation and monitoring of the Sustainable Development Goals", prepared by Margaret Saner, member of the Committee of Experts on Public Administration, taking into account contributions by Committee members Meredith Edwards and Rowena Bethel, is hereby transmitted in accordance with the provisional annotated agenda of the fifteenth session of the Committee of Experts on Public Administration (see E/C.16/2016/1). The content of and the views expressed in the paper are those of the author and do not imply any expression of opinion on the part of the United Nations.

* E/C.16/2016/1.

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Inclusive policy formulation and integration in the implementation and monitoring of the Sustainable Development Goals

Summary

The ability to function effectively in a process of integration is a critical success factor in the implementation of the Sustainable Development Goals, and fundamentally important to the pledge that no one will be left behind. The author points out that policy formulation skills are largely unseen by the general public but policy incoherence often underlies citizens' perception of obstacles and inconsistencies in a government's approach, whether it is in relation to services that directly affect them or in broader areas of policy- and decision-making.

There are likely to be challenges in the policymaking process itself, from problem definition through prioritizing and assessing the impact of policy proposals. Then further challenges in addressing integration issues vertically, through tiers of government or through deep knowledge of a specific topic; and also in addressing horizontal integration whether focused on whole-of-government issues, across tiers of government or across international boundaries.

The present paper builds on previous work undertaken by the Committee on this subject, recalling that to address the interrelated dimensions of sustainable development, a new approach is needed. It draws on academic and practitioner contributions with a view to stimulating discussion and reflection on the effectiveness of current approaches to policymaking and the extent to which they are capable of rising to the challenge of the implementation of the Sustainable Development Goals. Conclusions from all these sources are consistent with each other although the emphasis may differ.

I. Introduction

1. The Committee of Experts on Public Administration has frequently alluded to policy development and policy integration challenges in its reports, most particularly in connection with its fourteenth session, at which the issue was discussed at length (see E/2015/44, chap. III.B, sect. 3). Recognition of the value and benefits of policy integration have grown in tandem with increasing understanding of the impact of globalization and the interconnectedness of countries and societies. As with any evolving process, deficits and gaps have also been identified; as have differences in approach and desired goals.

2. Uniquely, the 2030 Agenda for Sustainable Development (see General Assembly resolution 70/1) sets out goals to which all Member States have agreed, which have a durability beyond competing political perspectives and which apply to all. It refers to the Sustainable Development Goals as integrated and indivisible, and formally recognizes the need to go beyond separate, sectoral, policymaking and call for action based on inter-connectedness, both in terms of goals and international approaches. The ability to function effectively in a process of integration is a critical success factor in the implementation of the goals, it is also fundamentally important to the pledge that no one will be left behind.

3. The 2030 Agenda also acknowledges respect for the individual policy space of Member States. Every country will have its own priorities and decisions to make about where to take action and how to allocate resources. The variation and the challenge is in making the transition, indeed the transformation, from the current state, whatever it may be, to the desired state as envisaged by the goals. Some countries will perceive themselves as being close to the goals. Others may believe they have a long way to travel, while some countries may not be clear where they stand. All this is perception and/or assumption until such time as baseline data is agreed, and indeed available, so that countries are using a common language.

II. Policy development concepts and terminology

4. "Policy" as a term is widely, but not universally, used in many countries and what is understood in practice by the term policy development varies considerably. Policy can be interpreted as choices or decisions made by government and is addressed in the present paper in this context. Policy and governance issues are inextricably linked since accountability for the allocation and use of resources and the impact and effectiveness of choices made by governments are the basis of an administration's responsibility for public expenditure and the trust placed in them by the citizen.

5. This linkage, however, is not universally found: choices made by administrations can be influenced by a variety of factors, some of which are explored in the present paper. Not all decisions are transparent and/or based on a rational assessment of evidence: and decisions about priorities, selection of solutions, etc., can be made on the basis of inadequate information, misunderstanding of the issue and/or be subject to blinkered or at worst biased self-interest. Effective policy development and integration, in as much as they are one aspect of effective governance, can support value-for-money decisions, prevent corruption and support transparency in government operations.

6. By developing skills and methodology in the policy field, administrations can reduce the risk of costly failures, unintended consequences and dissatisfied members of the public. There will likely always remain an element of risk but many negative consequences can be prevented by effective policy development and implementation. In today's world, this means dealing effectively with issues at the international, national and local levels.

Towards a common understanding

7. Various writers, organizations and Member States have developed language around the policy process. This has ranged from expressions such as "cross-government working" and "horizontal policy development", through "policy coordination", "policy integration" to "policy cohesion", the latter perhaps being found more frequently in an international context and tending to imply the bringing closer of national policies, e.g., in the context of global concerns such as climate change and maritime issues. There is, however, a sense in which policy integration is fundamentally about bringing coherence to national and local policies and indeed between national and local policies.

8. Academic writers have sought to tease out definitions of the various expressions in use. For example, Meijers and Stead (2004:1)[1] offer a policy integration definition: "Policy integration concerns the management of cross-cutting issues in policy-making that transcend the boundaries of established policy fields, which often do not correspond to the institutional responsibilities of individual departments." Other terms include "policy coherence", "cross-cutting policymaking", "holistic government", "joined-up government" and "policy coordination".

9. Integrated policymaking "refers to both horizontal sectoral integration (between different departments and/or professions in public authorities) and vertical intergovernmental integration in policymaking (between different tiers of government) or combinations of both." Meijers and Stead distinguish cooperation from coordination from collaboration and finally from integration.

10. From a practitioner's perspective, policy integration means change at a more fundamental level than simply sharing policy intent and scrutinizing proposals across government with a view to avoiding potential conflicts. For those experienced in efforts to achieve integration and/or cohesion, it means a way of working together that is a process, which is significantly different from what might be described as traditional policymaking.

The importance of process

11. Practitioners have found that just as agreeing clear goals and desired outcomes is vital to success, so is a shared understanding and commitment to the process of integration and desire to achieve mutually supportive policies. Early efforts to reach beyond coordination towards integration were often driven by the experience of improving service for customers because by examining services from the customers' perspectives, contradictions and complications in policies were revealed. Local government often has first-hand experience of poorly thought-through policies since

[1] Evert Meijers and Dominic Stead, "Policy integration: what does it mean and how can it be achieved? A multi-disciplinary review", paper presented at the Berlin Conference on the Human Dimensions of Global Environmental Change, Berlin, 3 and 4 December 2004.

it is when policies are passed to the local level for implementation that the problems begin to show.

12. The 2030 Agenda addresses this need to develop a new approach to process in as much as it combines both policy goals and process goals. It recognizes that operational detail has yet to be fully worked out but sets out clear parameters such as are found in Sustainable Development Goal targets 17.13 to 17.15, in paragraph 63, and in the section on follow-up and review.

13. The term "policy" is usually used in a proactive sense, that is, to indicate an intentional choice or desired result. It may apply to the desired end result or to the means adopted to achieve the result. Choices and therefore decisions may be made after a long period of enquiry, consultation and weighing of options or in minutes or days in the event of a crisis or unexpected event. Policy decisions made on the spur of the moment without prior analysis and with limited information run the risk of greater unforeseen negative consequences.

14. A further complication is that individual choices and decisions, made by for instance individual ministries, may conflict with each other or, combined, produce an unintended result. To the public, this emergent and to them, incoherent, policy may be seen as an intention to create confusion, uncertainty or as a deliberate detriment to one group in society, for example, as evidenced by the barriers facing unemployed young people seeking work. The reality may be simply a failure to coordinate policy decisions and to look at the problem as a whole, from a variety of perspectives: an oversight rather than a conspiracy.

Integration and effective governance

15. Policy equates to choices, to decisions. Policy can be proactive and determined. It may also be emergent, in response to circumstances, events, beliefs and values, or even simply based on the ideology of the government of the day. These choices, particularly when resources are attached to them, impact on the public, hence the importance of the democratic process. There are, moreover, variations as to how much weight is given to the public view, and varying systems for reaching decisions at the national and local levels.

16. Self-determination by those in power is regulated by national and international law and convention. There are potential benefits to all countries in ensuring that their own policymaking is effective, i.e., in basing priorities and decisions on realistic information and analysis with a view to at least mitigating, if not fully resolving, a policy challenge. Beyond national benefits, participation with others as part of an integration process is then built on firm foundations. Confidence in each other's capability of backing up a commitment is likely to facilitate international policymaking and negotiated agreements.

Types of integration

17. It is now recognized that policy challenges to be resolved do not come in neatly organized parcels that respect organizational structures and boundaries. They probably never did, but prior to the advent of globalization, it was just about possible to segregate issues into fairly tightly defined categories.

18. Since the late 1990s, the discussion has been about complexity, meaning the interrelated nature of many policy challenges both thematically and geographically.

Within a country there can be relationships between, for example, policies on youth, education, employment, housing, crime, economic productivity, and gender, all of which can spill over into international challenges such as migration.

19. While many recognize the interconnected nature of such concerns at an intellectual level, it has not proved easy to convert this understanding into the actual process of policy formulation. Many countries still operate organizational processes and structures which reinforce sectoral approaches. Cross-government knowledge and information-sharing is not universal. Policy integration may be vertical and/or horizontal.

20. Vertical integration may comprise in-depth appreciation and evidence-based knowledge of a sector, e.g., agriculture or education, or of a particular topic, such as drug abuse or taxation. Further, there is vertical integration with respect to implementation mechanisms such as tiers of government or contracted-out services which ensures that policy is implemented as intended through all the channels involved. For instance, a central ministry may take the lead in a policy development process but it will be implemented through regional or local government or by third parties such as private sector organizations or the voluntary sector.

21. Horizontal linkages occur between related sectors, e.g., health and agriculture, or education and employment. They also occur with respect to thematic issues such as youth offending or infant mortality. It is the increasing realization of the importance of these horizontal linkages that has led in recent years to the focus on cross-government working and/or the multi-stakeholder approach, so that there is now an appreciation that the connections go beyond the obvious. As an example, a rise in youth offending might previously have been connected with unemployment but would now be examined in the light of education, housing, policing and sentencing, as well as perhaps discrimination, parenting and health.

22. Both vertical and horizontal policy integration increasingly have a global dimension in as much as international law, agreements and conventions impact on national policy.

III. Current approaches to policy development

Decision-making

23. Mechanisms for decision-making vary around the globe for reasons which include contexts, cultures, constitutions and crises. Even within long-established models there can be tension within government, often across sectoral boundaries. Tension can also result from differences found in professional and academic fields, in political aims and across geographical boundaries, even though, for example countries may be part of a trading group or economic area.

24. Over the last 20 years or so many countries have adopted strategic planning approaches which, if fully embraced, identify a clear vision for the future, create an in-depth understanding of the current state, constraints and necessary improvements or critical success factors for achieving the vision. Achieving a reasonably accurate understanding of the current position in order to begin planning for arriving at the desired position is crucial; not only in the international context but in a national and local context so that policy proposals are based on evidence not assumption.

25. It is only when there is a genuine and realistic appreciation of capability and current position that appropriate interventions can be made. This requires reliable, relevant data and the ability to analyse and interpret it. It is vital to have the capability to quality assure research and data so that policy proposals are not based on weak or selective science or statistics.

26. Of course elected representatives/political decision-makers, often do have their own ideas and solutions and may have been elected on a particular platform. This may be borne out of long-held values or out of an immediate compelling problem, perhaps as presenting in their constituency. Their preferred solution, if robust, having been evolved through a credible policy process, should withstand scrutiny.

Problem solving

27. A key element of the policy process is problem solving. This necessitates accurately understanding the true nature of the problem, deciding how best to solve, or at least mitigate, the problem and taking action to that end. For this reason a policy is not a policy until it is implemented. Passing legislation may be a necessary step but it is not a successfully implemented "policy" unless it is effective in dealing with the problem.

28. Once a problem is identified, a government generally has the choice of ignoring it, intervening directly or encouraging others to deal with it, e.g., the markets. "Doing nothing" is a policy decision. When the decision is to intervene, the options usually centre on regulation with enforcement or penalties, incentives, or influencing, e.g., public campaigns such as those against smoking. In some cases a mix of all three will be used. The recognition of the importance of changing people's responses has led to the development of "behavioural economics" in recent years, though many behavioural scientists would argue that basing policy proposals on an expectation of rationality alone has always been flawed. The development of behavioural economics[2] and increased understanding of human behaviour is an important aspect of policy development.

29. A policy must be implementable; in the case of regulation, enforceable, and many countries would also weigh the impact of a proposed policy against the cost whether that is a financial or potential detriment to business, the environment or a particular group of people.[3,4]

30. These points may seem to be an oversimplification or statement of the obvious but all too often a policy is implemented through legislation or otherwise, which is either unenforceable or unworkable or has unintended consequences — perhaps passed in reaction to a political crisis. Legislation can give the appearance of action being taken but the only real test is evidence from data as to how factors have

[2] Daniel Kahneman 25 October 2011. Thinking, Fast and Slow. Macmillan. ISBN 978-1-4299-6935-2.

[3] United Kingdom of Great Britain and Northern Ireland, Better Regulation, Task Force, *Principles of Good Regulation* (London, Better Regulation Task Force, 2003). Available from http://webarchive.nationalarchives.gov.uk/20100407162704/http:/archive.cabinetoffice.gov.uk/brc/upload/assets/www.brc.gov.uk/principlesleaflet.pdf.

[4] United Kingdom, Cabinet Office, *Better Policy-making: A Guide to Regulatory Impact Assessment* (London, Regulatory Impact Unit, 2003). Available from http://www.dei.gov.ba/bih_i_eu/RIA_u_BiH/default.aspx?id=6595&langTag=bs-3BA.

changed on the ground. Similarly, sometimes agreements are reached across boundaries, perhaps in an international context where the impact nationally is not fully appreciated either because of lack of data or weak national policy integration which leaves the national representative at a disadvantage in an international environment.

31. One further aspect of policy integration is the willingness to work with others on their problems. Sometimes this is directly beneficial, for example, when stemming the flow of illicit arms or drugs. On other occasions, it has less specific but nevertheless valuable benefits such as strengthening the process, building the basis for a specific trade-off or strengthening relationships so that when necessary, e.g., in the event of a crisis, the groundwork has been done and perspectives are understood.

Organizational structure

32. Before discussing the challenges of policy integration, it is worth considering the current structure of policy development. Traditionally, this has been arranged on a sectoral basis, e.g., education, finance, agriculture and security. Often each represents a ministerial portfolio. The vertical process of policy development may, or may not be, rigorous and robust. Political decision makers may not have expert knowledge of their sector — and arguably it should not be needed — but the public servants advising the decision maker should be in a position to gather evidence from all relevant parties, to consult concerning both problem definition and possible proposals and to offer workable options for resolving the issue as advice to the political decision maker.

33. Within many public administrations there are public servants whose job role is primarily that of policy development. They are skilled practitioners often with strong intellectual capability. This role transcends the original discipline they may have qualified in so that they provide rounded, balanced advice to their ministers. At one time the United Kingdom public service aimed for generalist policy staff. However, in the last 20 years or so, in response to the increasing complexity of the policy challenges, staff tend to be specialists in their subject area, e.g., in environmental matters, while at the same time are expected to have general policy skills enabling them to work with others across government.

34. Other public services tend to recruit and develop differently, some relying heavily on lawyers or on economists or specialists in public administration. The issue is not so much the underlying model but whether as a result of experience and training the staff advising decision makers gain the ability to effectively gather and interpret data, make the connections with other sectors and engage both the citizen and experts in exploring problems and possible solutions in such a way that demonstrates a policy process that is both fair and rigorous, resulting in sound advice.

35. The present paper is not advocating that a reorganization of government offices is necessary to achieve policy integration. A robust appraisal, however, of attitudes and skills (competencies) and of current working practices is required to establish whether they support or hinder efforts to achieve coherent policies across government and integration of proposals where beneficial.

Supporting implementation through effective institutions

36. The 2030 Agenda, while clearly stating high-level goals, does leave room for national and local variation. One would expect member countries to wish to be confident in their own policy development capability and those of each other — given the many interactions between policies in the current age. Some goals specifically reference the creation of policies or policy frameworks, e.g., goal 1 and goal 5. But the whole thrust of the resolution is about joint working while respecting the uniqueness and policy space of countries. These issues are mentioned specifically in Sustainable Development Goal 17.

37. The effectiveness of institutions is important because of the overarching vision created by the process and goals set out in the 2030 Agenda, further it is also important as a contributor to the achievement of national strategies, including internal prioritizing, international negotiating, and ability to respond to new information, new emergencies and challenges. Building skills, knowledge and robust systems in an inclusive environment ensures that issues are dealt with reasonably and fairly and strengthens preparedness and resilience for when times become challenging.

38. The Sustainable Development Goals create a set of goals and in some respects determine policies which generate an external set of parameters. The headlines and in some cases one might say the chapter headings, have been agreed at the highest level internationally. But now each Member State has to create the text in such a way that the story hangs together and is meaningful to local people while remaining consistent with the international story.

39. This is not entirely new. The world has addressed global issues successfully before, for example in efforts to reduce poverty. With the Sustainable Development Goal, however, the aspirations are high and wide-ranging, and countries will need to be in top form to deliver. The 2030 Agenda provides general guidance by setting some expectations with respect to governance.

40. Effective governance requires decision makers to exercise effective stewardship of public funds and resources, to be accountable for priorities selected, resources allocated and solutions implemented. Choices and decisions made should be subject to independent scrutiny.

Policy integration in action

41. Where policy integration exists it is likely to be the result of proactive effort to increase coherence over a period of years. This may have been stimulated and subsequently supported by groups working together either in a sector, for example, forestry or fishing, or in a community, such as the European Union, the Organization for Economic Cooperation and Development or the International Maritime Organization. The international development community has been addressing the issue of policy cohesion for a number of years.[5] On occasion either at an international or national level, greater cohesion in policy may be the result of a

[5] Organization for Economic Cooperation and Development (OECD), *Building Blocks for Policy Coherence for Development* (Paris, 2009). Available from www.oecd.org/pcd/44704030.pdf.

response to an event or crisis. In all these cases some form of common goal, sense of shared enterprise or need for an agreed position is usually present.[6]

42. More broadly and in the absence of a compelling vision, policy development processes can be seen as on a continuum from entirely separate, through coordinated, cooperative to collaborative, i.e., integrated. Where a country is positioned on this continuum may be the result of an evolutionary response to events, crises, history, culture, or to proactive efforts to modernize and build effective institutions.

43. Some administrations will have well-established procedures for clearing "lines to take". For example, the Westminster Cabinet system, implies a process by which civil servants discuss and agree policy issues across and between departments and ministries prior to their reaching ministerial level. Civil servants supporting the Cabinet scrutinize proposals and check that the correct procedures have been followed and that appropriate consultations with relevant ministries have taken place. In this way, policy development was coordinated and overt conflicts in policy avoided.

44. At the same time, circumstances in countries may differ greatly. Even where similar nomenclature is used it cannot be assumed that the actual functioning of the policy advice and decision-making process are similar. A "cabinet" may exist in name only with civil servants in support dealing only with administrative matters such as timetabling rather than leading policy coordination. Top civil servants may not meet regularly to discuss policy and decision makers may base their decisions on very limited or non-existent information. Decisions taken may soon be found to contradict previous ones made by the same or different ministries; or to have resulted in expenditure that was not value for money for the citizen.

45. In the evolutionary model, with increased understanding of the complex interactions between issues, the focus shifted from coordination of already fairly established policy lines to more of a joint policymaking approach so that civil servants from a range of ministries would work together on policy challenges from a much earlier stage in the process (see E/C.16/2013/2).

46. For example, on the issue of illicit or dangerous drugs, one might expect the enforcement agencies to take a broadly similar view and the health and education agencies to take a different approach. In about the year 2000, the Minister for the Cabinet Office in the United Kingdom brought all the relevant parties together to share views and explore how they could work together to avoid developing conflicting policies.

47. It became clear that over the years a complex network of penalties, incentives and regulations had evolved, some based on research and robust evidence, others based more on what was assumed to be public perception and political will. In common with other policy challenges a concerted effort was made to examine these issues as a system, to map the linkages and to capture the impact at the front line, whether on the street or at the source of production. Thus, the focus shifted to cross-government working, policy integration and multi-stakeholder policy development. There was also an international dimension in as much as issues such as illicit trade in drugs, mass immigration or global warming cross international boundaries.

[6] European Union, *Panorama Inforegio: Reference Regional Policy, An Integrated Approach — A 360° view*, vol. 34 (Summer 2010).

48. The term "wicked" issues became widely used to reflect both the complexity and the difficulty of resolving long-standing problems and the emphasis shifted from simple cooperation to a more proactive collaborative effort to integrate policies and avoid conflicts in the relevant system. In the United Kingdom, for example in the late 1990s, the Cabinet Office was looking at how policy development could be modernized. At about the same time, the United Kingdom experienced the bovine spongiform encephalopathy crisis and a strike by oil tanker drivers. These revealed that the policy development and implementation world was now much more complex and that delivery mechanisms in the commercial world had changed — they were no longer as assumed by the public servants or politicians.[7,8]

49. Improving policy development became an ongoing project so that 10 years later commentators were still suggesting that it could be better.[9] The fact that policy could be influenced by external bodies and influencers was already well understood but a change of political administration put far greater emphasis on the use of external policy development. It is too early to say but the expectation would be that this would mean an even higher level of analysis and integration skills would be required by advisers.[10] In the United Kingdom, the Cabinet Office now provides an online toolkit on policymaking which is available to all staff.[11]

IV. Challenges in achieving policy integration in support of the Sustainable Development Goals

50. The present paper focuses on policy integration in the context of successfully implementing the Sustainable Development Goals, or at least reaching a point where there are fewer policy conflicts and a measure of cohesion when policies are considered vertically or horizontally at the national and international levels.

51. The first and fundamental challenge is to ensure there is an effective policy development process in place and to achieve sufficient consistency of approach nationally to facilitate a country's problem solving, decision-making and resource allocation in accordance with effective governance. There is a useful model of policy development in the United Nations Environment Programme reference

[7] Helen Bullock, Juliet Mountford and Rebecca Stanley, United Kingdom Centre for Management and Policy Studies, *Better Policy-Making* (London, Cabinet Office, 2001).

[8] United Kingdom, National Audit Office, *Modern Policy-making: Ensuring Policies Deliver Value for Money* (London, Stationery Office, 2001). Available from www.nao.org.uk/wp-content/uploads/2001/11/0102289.pdf.

[9] Michael Hallsworth and Jill Rutter, "Making policy better: improving Whitehall's core business" (London, Institute for Government, 2011). Available from www.instituteforgovernment.org.uk/sites/default/files/publications/Making%20Policy%20Better.pdf.

[10] Parliament of the United Kingdom, Public Administration Committee, *Public Engagement in Policy Making*: Written Evidence Submitted by the Cabinet Office (PE 11) (November 2012). Available from www.publications.parliament.uk/pa/cm201314/cmselect/cmpubadm/75/75we12.htm.

[11] United Kingdom, Cabinet Office, *Open Policy Making Toolkit* (London, Cabinet Office, 17 March 2015). Available from www.gov.uk/guidance/open-policy-making-toolkit#involve-public.

manual on integrated policymaking for sustainable development[12] and also in the United Kingdom Cabinet Office documents referenced above.

52. The purpose of the paper is not to propose specific models but to highlight some factors which may better enable achievement of the goals while respecting the policy space of each country. The one caveat proposed, however, is that leaving the policy space poorly equipped is likely only to increase risks nationally and internationally.

53. Even where concerted efforts have been made to work together across traditional policy and geographic boundaries the process has not been without its challenges. In 2004, Meijers and Stead[13] set out the challenges in policy integration and also differentiated between policy coordination and integration. Perhaps 10 years or more further on one of the most recent successful examples and one of the best documented is that of climate science and environmental issues more generally. There remain marked areas of difference yet progress has been made. It is perhaps helpful to reflect on the experience of implementing the Millennium Development Goals. United Nations conventions and other international agreements attest to the potential for reaching agreement and should be seen as a basis for moving forward.

54. A frequent theme to emerge is that integration relates to process[14] as well as to policy solutions, to the extent that integrating processes is fundamental to integrating policies. Countries with a range of approaches, an imbalance in the "authority" of different sectors or a culture of sectoral "silos" are more likely to find inclusive integration more difficult. Inclusiveness is integral to the implementation of the Sustainable Development Goals, paragraph 35, "The new Agenda recognizes the need to build peaceful, just and inclusive societies that provide equal access to justice and that are based on respect for human rights (including the right to development), on effective rule of law and good governance at all levels and on transparent, effective and accountable institutions."

Challenges

55. The challenges set out below may therefore be relevant to any country and are offered as a prompt to further thinking.

(a) Overlooked in some of the more academic work on policy integration is the potential for barriers to integration to exist because of gaps in infrastructure, including technology. A reliable and consistent power supply, transport infrastructure and other means of communication are vital to enable the gathering of data, the exchange of information, citizen engagement and the analysis and pooling of knowledge by policymakers and stakeholders. In countries with remote areas, proactive efforts may need to be made to ensure that all stakeholders are involved and also to ensure that accurate and timely data is available to policy developers.

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[12] United Nations Environment Programme. *Integrated Policy-making for Sustainable Development: A Reference Manual* (Geneva, August 2009). Available from www.unep.org/pdf/UNEP_IPSD_final.pdf.

[13] See footnote 2.

[14] See for example, "Policy coherence for inclusive and sustainable development", OECD Post-2015, Element 8, Paper 1 (2015).

(b) Established procedures for policy development, including problem definition, citizen engagement, evidence gathering and analysis, knowledge about implementation success and failures, etc., are not available. This can lead, for example, to solutions being implemented to problems that do not exist or are the "wrong" problem, to solutions put forward that are unworkable/do not solve the problem, cause a public backlash, or create even more serious problems in a related area.

(c) Absence of a shared vision or strategy, creates uncertainty, inhibits proactivity and can lead to multiple variations of what is "assumed" to be the overall aim of the government. While events can cause disturbance to plans and sometimes prompt unanticipated reactions, most countries have some sense of expected goals for the years ahead. Increasingly these goals are articulated in a vision or strategy document. Nevertheless, sometimes even where they exist, such documents are not "owned" by the public, or wider public service, resulting in the problems mentioned above. Properly developed strategies enable the preparation of realistic plans and develop understanding of barriers to implementation which in turn enable the assessment of the impact of integration of policies.

(d) In some countries, hierarchical structures and managerial approaches support territorialism in government, including a protectionist approach to policy. In a "top down" decision-making environment policymakers are unlikely to test the boundaries of their responsibility, potentially resulting in gaps in the system which are not a problem for the policymaker but will be experienced by the citizen as contradictions or conflicts.

(e) Key information is not available, not reliable, or not consistent internally or in relation to other countries, making it extremely difficult to analyse problems and to track progress. This may occur because the information has never been collected or because access is restricted. Public servants in some countries will have access to databases of all sectors, others will have access to only a limited number and in many countries reliable data is simply not collected and made available to policy developers.

(f) Links between policy levers and policy impacts are not fully understood, that is to say, there are doubts about the reliability of evidence about how to achieve results. It is vital to track and understand the real causes of issues in a particular set of circumstances and to develop an understanding of what regulations, incentives, etc., will make a difference to behaviour. For this reason, it is often important for people to meet to pool knowledge and information with a view to clarifying what the problem is well before trying to generate possible solutions. Such activity also builds a coalition of interested parties involved in achieving the potentially positive policy outcome which in turn facilitates implementation.

(g) Coordination across government is not an established way of working. This can lead to conflicting policies and increase the risk of unintended consequences where, for example, a set of policies combined have a much more damaging effect than any one of them would have been expected to have. It is also likely to mean that the individuals leading policy development are more territorial and concerned with protecting what they perceive as being their area of responsibility.

(h) Funding is not transparent and is not "outcome" related; that is to say funding is not tied to the successful resolution of the policy challenge. In many cases funding is still based on covering the overheads of the public service rather than on delivery of specific outcomes. On occasion a preferred solution may be presented as a policy solution when it is really just activity, and often a cost, for example in the building of a new railway. The answer to the question "Why?" must be clear and capable of evaluation, for example "to enable more people to work in 'X' town" or "to strengthen economic productivity in 'Y' sector".

(i) Accountability mechanisms have not kept pace with policy development approaches. For example, several ministries or other actors are involved in delivering a solution but only one is subject to independent scrutiny. This reinforces the sectoral divisions whereas making accounting officers jointly responsible for an outcome sends a strongly supportive message with regard to joint working.

(j) Marked differences exist as to priorities, and possible solutions, for example a need to reduce government expenditure and a commitment to ensuring that people have access to health care and education. Many such conflicts can be addressed by looking to a deeper level of the issue, such as enabling more people to earn a living through work and the Sustainable Development Goals reflect this. But different parts of government can initially see the problem as insurmountable. Differences can occur between sectors, between regions and between local and national perspectives.

(k) Too great a focus on "my" issues rather than an appreciation that joint working can usefully resolve wider issues for the benefit of all involved.

(l) Conflict exists possibly between different areas of expertise, between stakeholders or within government. Research can be contradictory as can professional and academic advice. Ultimately, the policy developers need to use judgement to recommend proposals and the decision makers will do the same but they have a right to be informed as to the differences in view and potential risks of any option.

(m) Lack of trust within government, for example between ministries or by stakeholders or the public. This may result for example in lack of participation, withholding information or poor compliance rates.

(n) Weak subject knowledge, data availability or policy development processes make problem resolution difficult and/or make integration more challenging.

(o) Short-term issues gain political priority and resources at the expense of the achievement of longer-term goals.

V. Addressing the challenges and achieving integration

Leadership roles

56. There are key players, each with a role to fulfil in ensuring that the aspirations of the Sustainable Development Goals are met and that as a fundamental engine of success, policy integration is effective.

57. Ultimately decision makers themselves need to require an integrated approach from their advisers; to insist on it in their decision-making processes and to reject proposals which do not demonstrate a rigorous and inclusive approach to policy development. Their leadership behaviour will demonstrate their commitment to effective policy development and integration and encourage public servants and other advisers to ensure that they have complied with the expectations of decision makers.

58. Public servants, particularly their willingness and ability to collaborate with each other in the interests of citizens, are the implementers of policy integration. But in order to work beyond the vertical lines of accountability they need the leadership and support of decision makers in ensuring that clear expectations are set in relation to, for example, regular cross-government meetings, citizen engagement, joint working and financial management and joint reporting.

59. Policy integration usually means taking longer in preparing for a decision and it may mean additional cost for meetings and consultation but the main hurdle is mindset. With determination, problems encountered in collaboration, such as conflicting legal frameworks, can often be overcome. This means that there should be scope for countries with low or limited resources to implement integration. There are, however, specific areas in the policy development process such as access to national and international data which are resource intensive especially at start up.

60. Those responsible for initiating plans and policy proposals have a particular responsibility to demonstrate effective policy development and to call for integration. They could require cross-government engagement, local engagement and citizen engagement, rejecting proposals that do not demonstrate alignment with the inclusive approach of the Sustainable Development Goals.

61. While recognizing the ongoing need for audit and evaluation of specific policies, independent auditors, researchers, professional bodies and relevant civil society organizations can look at inter-relationships and linkages across government; this should help to ensure that the effectiveness of policies are reviewed within a recognizable system and that unexpected consequences are identified and dealt with.

62. Those with responsibility for the selection and development of staff and for organizational development play a particular role in supporting new approaches and the acquisition of knowledge and skills in this area. They can also advise on appropriate mechanisms to encourage collaboration across traditional boundaries, in some cases taking the lead in facilitating early meetings and workshops, supporting them until the new approach becomes established.

63. All of the above require an appreciation and acceptance of the transformative agenda — the Sustainable Development Goals are ambitious and are intended to bring about changes to the current situation, in many countries and for many issues, this means that real and substantive change in policy and approaches are required. Professor Meredith Edwards sums it up in this way: "Transformation is a fundamental or complete change; a big shift in the ways things are done by individuals, organizations and the wider society. In governance terms it would

involve a transformation in process, structure and lines of authority on where decision-making power lies."[15]

Key features of successful policy integration

64. Subject to circumstance, the following observations may assist in developing policy integration:

(a) Establishing a shared understanding of the issue/problem, especially when the issue is recognized as compelling. This will include bringing together people and data from a wide range of backgrounds for analysis and discussion in order to distil the key issues to be addressed. It can be difficult and time consuming but in the long run builds an invaluable coalition of support.

(b) Paying attention to collaboratively developing the process of integration as well as the actual policies. As a foundation for future integration, encouraging policy developers across sectors to share approaches and agree processes is essential. This does not prevent specialization but ensures consistency of standards as would be expected and is found in industry, for example.

(c) Clarity of long-term direction is vital but within that vision short-term problem solving in measurable steps will provide both incentive and learning that enables further progress to be more effective.

(d) Developing clear goals which are SMART. A realistic self-evaluation of the current situation enables goals and targets to be set which are specific, measurable, achievable, relevant and time-specific.[16] Developing strategic statements can sometimes lead people to assume a straight line progression from the current state to the desired state. In practice preparatory work often needs to be done. Changes to legislation and policy take time so the progress graph is slow at first, sometimes showing a poorer performance but then moves more rapidly as barriers to progress are removed or overcome.[17]

(e) Ensuring that the necessary infrastructure, technology and permissions are in place to facilitate collaborative working and citizen engagement.

(f) Building a dynamic approach to addressing policy challenges which identifies synergies and trade-offs and which learns from feedback in the system and is capable of responding to new events. Learning and experimentation take place alongside monitoring and evaluation.

(g) The ongoing development of cross-cutting organizational systems and ways of working, coalition building and knowledge-sharing.

(h) A proactive approach to change which embraces preventive strategies ensuring enablers are in place and barriers to progress mitigated.

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[15] Meredith Edwards, *Transformative governance for sustainable capacity development*, NUM Leadership Conference on Capacity Development for Transformation (Ulaan Baatar, September 2014).

[16] Peter F. Drucker, *The Practice of Management* (New York, Harper and Row, 1954).

[17] See for example, Ray Shostac, "The experience of the delivery unit and lessons learned from Latin America", presentation prepared for the World Bank regional conference on improving public sector performance in Latin America and the Caribbean, Washington, D.C., December 2011. Available from http://siteresources.worldbank.org/EXTLACREGTOPPUBSECGOV/Resources/LACMIC_Ray_Shostak_UK.pdf.

(i) Bringing together local delivery actors with central policy developers, and approaching policy outcomes from the citizen's perspective, which will mean multiple-stakeholder perspectives.

(j) Focusing on problem solving not rule following, enabling curiosity, experimentation and variation.

(k) Developing in-depth sectoral expertise as a foundation for a multi-sectoral approach.

(l) Technical assistance geared to supporting policy integration. Donors may need to self-evaluate to ensure that they themselves are working in an integrated way and that they avoid reinforcing sectoral boundaries by failing to encourage multisectoral, multi-stakeholder approaches.

(m) 360-degree working, ensuring strong vertical and horizontal connections that are thematically or geographically based, as appropriate.

(n) Ensuring that there is funding tied to stated objectives or outcomes.

(o) Reinforcing collaborative working and joint responsibility through ensuring accountability for results, including independent review such as by the Supreme Audit Institutions.

Enabling actions

65. The enabling actions are as follows:

(a) Develop the capacity to effectively conduct a realistic self-evaluation of policy development capability and levels of integration. This could be supported by the United Nations system, by advice from the Committee, working with the Department of Economic and Social Affairs of the United Nations Secretariat and by donors.

(b) Conduct awareness-raising seminars, briefing and training, dependent upon the appropriate level of detail for the target audience, on the policy development process, particularly evidence-based policy and citizen engagement, on policy integration and on collaborative working, including vertically, e.g., local to national horizontal, cross-government and international. This would include decision makers and advisers and implementers from the public service and other sectors.

(c) Introduce new organizational approaches incorporating, for example, thematic cross-government meetings and events, topic-based events with specific groups of stakeholders, and citizen consultations and engagement.

(d) Conduct expert events focused on sharing experience and evidence in relation to specific Sustainable Development Goals or groups of Sustainable Development Goals, sponsored by key decision makers.

(e) Organize specific capacity-building, for example, on leadership development, systems thinking, data gathering and analysis, collaborative working, citizen engagement, and delegation and empowerment of public servants within a framework of responsibility and accountability.

(f) Establish clear parameters for policy proposals to be presented to decision makers, which demonstrate integration, showing evidence, consultation, costs and implementation mechanisms.

(g) The Sustainable Development Goals, particularly goal 17, provide an established reminder of longer-term goals when short-term solutions threaten to deplete resources.

(h) Establish a menu of support and incentive mechanisms for collaborative working and joint responsibility such as joint reporting, reports to elected politicians and to the relevant sponsor.

(i) Share data sets and research evidence. For example, the Commonwealth Association for Public Administration is developing a digital platform that will serve as a research and advisory tool for public administration professionals and which will enable countries to access data about specific topics, approaches, results and outcomes.

(j) Strengthen governance so that people are operating within a common framework and have confidence in the process.

VI. Conclusion

66. Policy integration as envisaged in the 2030 Agenda is a collaborative, inclusive process with an acceptance of both horizontal and vertical integration such that choices are made which reflect local aspirations, as well as national and international contexts, and are coherent within and across sectors.

67. Policy integration remains, however, surprisingly difficult to achieve as has been found by countries with well-developed policy-formulation experience. Policy-formulation skills are largely unseen by the general public but policy incoherence is often the reason for what the citizen perceives as obstacles and inconsistencies in a government's approach, whether it is in relation to services that directly affect them or in broader areas of policy and decision-making.

68. Working collaboratively towards integration is clearly possible per se and unskilled policy advisers might even enjoy the process of "putting the world to rights". More is expected, however, from those responsible for allocating public funds and in-depth policy skills are required in order to have real confidence in policy proposals. Depth of understanding of both policy process and topic area, and local and national variation in circumstances and priorities, are essential requisites for the public policy adviser.

69. Therefore, strengthening policy development skills, where necessary, is arguably essential to successful integration. In addition to addressing personal skills, this may entail ensuring that enabling actions are taken, such as dealing with infrastructure issues, organizational design and leadership development.

70. Where policy development capability is already strong, policy integration can still be difficult because it cuts across established boundaries. This is less of a problem where the culture is essentially collaborative but is a real challenge in a more hierarchical system of government. Leadership will make the difference by setting a strongly positive example; by encouraging collaborative working, by investing in capacity development, by rejecting less than satisfactory policy

proposals and/or proposals where stakeholder engagement is lacking, by embracing transparency and by taking an inclusive approach to policy development.

71. Practical support can be offered in those areas where individual countries do not have the resources to go it alone but where together with others, advances could be made, e.g., in accessing data. Some may need support on a country basis; for example, with data collection, which has strong links with e-government solutions.

72. Donors, professional bodies, academia, etc., can all play a part in directing their efforts in support of the building blocks required in each set of circumstances.

73. Audit and other independent observers or international bodies can set standards and challenge and/or support their clients to deepen their skills and enhance expertise in both policymaking and the process of integration.

74. Essential building blocks to this level of integration are an effective and consistent policy-development process, a proactive approach to building the approaches which will sustain policy integration and establishing the infrastructure whether physical or technology-based that will enable integration.

75. In planning to reach a particular destination, a good sense of the start point and what the journey might enta is required. These will vary from country to country so the ability to self-assess and then to build the capability required is essential. One, non-directive support mechanism could be the development of a self-evaluation model which poses a series of questions distilled from Committee reports and other relevant documents and publications.

76. Day-to-day organizational approaches will, and should, vary according to circumstance. The observations on what is required to make policy integration successful indicate that a major challenge is making the shift from "knowing to doing", that is to say in the translation of good intentions into practice in the policy-development field. The United Nations system and donors are in a unique position to reinforce the integration process through their own approaches and by ensuring that support is targeted to the integration efforts. As is recognized in the 2030 Agenda, in order to turn the Sustainable Development Goals into reality requires closer integration of policy, which in turn requires expertise, access to evidence, commitment and resolve to work collaboratively.

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Diversity and non-discrimination in public administration: strategic enablers of sustainable development

Note by the Secretariat

The paper entitled "Diversity and non-discrimination in public administration: strategic enablers of sustainable development", prepared by Committee member Najat Zarrouk, is hereby transmitted in accordance with the provisional annotated agenda of the fifteenth session of the Committee of Experts on Public Administration (E/C.16/2016/1). The content of and the views expressed in the paper are those of the author and do not imply any expression of opinion on the part of the United Nations.

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Diversity and non-discrimination in public administration: strategic enablers of sustainable development

Summary

Diversity is a long-standing preoccupation and fundamental concern of all societies irrespective of their level of development or mode of political organization. In practice, the promotion of diversity comprises the ensemble of initiatives put in place to consider, understand and manage differences among individuals and groups, and includes the efforts made to combat all forms of discrimination based on intrinsic or extrinsic characteristics. As a multifaceted issue within an increasingly complex world, respect for diversity presents significant practical challenges, such as accommodating the myriad prohibited grounds for discrimination, various cultural contexts and different ideas about what sort of efforts should be made to promote diversity both within the administration and in public policy implementation in general.

The author recalls that equality, non-discrimination and respect for diversity are fundamental elements of international human rights and notes that a significant number of instruments and structures have been put in place to advance such principles, including the 2030 Agenda for Sustainable Development. While recognizing that each country is different, the author draws attention to various models of diversity management that may serve as examples of good practice, in particular in places where public administration is relatively weak.

The author concludes with a call for an integrated, inclusive and progressive approach to diversity grounded in shared responsibility for the 2030 Agenda and universal participation in realizing common objectives. Efforts at the international level should be accompanied by the promotion of an enabling environment for diversity and bold public administration reforms at the national level that use strategic enablers of change to promote diversity and non-discrimination.

I. Introduction

1. Practically since the beginning of recorded history, the question of diversity has represented one of the major problems humanity has faced. In every age, humanity has needed to allow for the complex process of constructing an identity for societies and individuals, and has always tried to pursue these "encounters with difference"[1] and to manage the other, in order to live together. Now more than ever diversity has proven to be a defining issue in the lives of all societies, whatever their level of development or method of organization. As a global concern on the agenda since the establishment of the United Nations, it also represents a major challenge in the 2030 sustainable development agenda.

2. The concept of diversity is nonetheless a complex idea with multiple meanings and containing a protean reality; its definition is still far from unanimous, because it is often confused with other concepts, in particular non-discrimination.[2] From that starting point, the present paper hopes to answer the following questions: What do we mean by diversity and non-discrimination? What are the challenges and what is at stake for public administration? What are the grounds for concern? Can we rely on or be inspired by models or good practices? In a sea of competition, difference, complexity and constraints, how can public administration best utilize the differences that characterize this process and environment as a whole to be able to support the implementation of the sustainable development goals?

II. What do we mean by diversity and non-discrimination?

3. The concept of diversity responds to the need to adapt to the environment or the workplace, indicated by a set of characteristics involved in constructing the identity of each individual or social group. In practice, these are the initiatives taken to consider, pursue, manage and maximize[3] the differences that are considered legitimate which characterize target groups or individuals,[4] because they are linked with principles of ethics, equity, justice, equality and non-discrimination. Individual and collective dimensions can thus be detected therein, including both otherness, individual perceptions and ways of thinking that are intrinsic to each person, as well as the contextual basis of each society in relation to the other and the way of understanding intercultural differences and relationships.

4. Discrimination is defined as "unequal and unfavourable treatment applied to a person or groups of persons on the basis of illegitimate criteria, which can involve

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[1] Karina Jean, "La gestion de la diversité: caracteristiques et implantation", University of Sherbrooke, *Interactions*, vol. 4, No. 2, Fall 2000. Available at the following address: https://www.usherbrooke.ca.

[2] Aurore Haas and Sakura Shimada, "(Re)définer la diversité: de la représentativité a la gestion de l'altérité", and Maria Giuseppina Bruna and Mathieu Chauvet, "La diversité, levier de performance..., sous condition de management", *Cahiers de recherche* No. 1, under the direction of Stephanie Dameron and Jean-François Chanlat, Chaire Management et Diversité, University of Paris-Dauphine, available at the following address: www.fondation.dauphine.fr.

[3] Sonia Ospina, "Managing Diversity in Civil Service: A Conceptual Framework for Public Organization". United Nations Expert Group on Managing Diversity in the Civil Service, New York, May 2001.

[4] Maria Giuseppina Bruna and Mathieu Chauvet, "La diversité, levier de performance..." see note above.

the inherent characteristics of a person. The discrimination can be perpetrated by natural or legal persons, agents of the State or public or private institutions"[5], in the form of a distinction, exclusion or restriction, direct or indirect, normative or behavioural, by action or by omission, positive or negative, de facto or de jure, on the basis of one of these characteristics, having the effect or purpose of preventing the recognition, enjoyment or exercise of human rights and fundamental freedoms in political, economic, social, cultural or environmental fields.[6]

5. Respect for diversity therefore goes hand in hand with combating all forms of discrimination, which is among its essential aspects, but is neither sufficient nor a guarantee of the value added of a diversified collective. To reduce diversity to combating discrimination alone would result in giving it a very restrictive meaning, whereas it is associated with democratic progress and has a broader, positive meaning, aiming at respect, valuing and integration of differences in the development process of a given country, as part of a social construct and convergence towards a common vision.[7]

6. Management of diversity was reinforced by another idea that was popularized within the international community at the end of the 1990s, following the Beijing World Conference on Women, which brings those ideas together in an attempt at transcendence: an integrated and differentiated approach to equality.[8]

7. Beyond the semantics and the meaning, we are faced with complex situations and a multitude of high-stakes challenges.

III. The inevitable challenges for public administration

8. For some years, public administration has dealt with a difficult and complex context along with societies in crisis, marked by several mutations, phenomena, flux and turbulence. On the one hand, there is the rapid rise of a globalized economy has changed the face of the world in a context of growing instability and an international climate of conflict. On the other, there is increased contact among societies, organizations, persons or groups with different cultures, increased mobility, interconnections and migratory movements, giving rise to heterogeneous intercultural relations.

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[5] Conseil national des droits de l'homme du Maroc and United Nations Entity for Gender Equality and Empowerment of Women (UN-Women), "Vers la mise en place de L'Autorité pour la parité et la lutte contre toutes les formes de discrimination, Étude comparative sur les experiences internationales dans le domaine de l'institutionalisation de la lutte contre la discrimination" Rabat, November 2011, p. 8. Available at the following address: www.cndh.ma.

[6] Annie Cornet and Philippe Warland, *La gestion de la diversité des ressources humaines dans les entreprises et organisations, Le guide pratique à destination des employeurs* (ed. Université de Liège, 2008), glossary pages 89-91; see definition given by the Convention on the Elimination of All Forms of Discrimination against Women, article 1.

[7] M. Vatz et al., *Les défies de la diversité, Enjeux épistemologiques, méthodologiques et pratiques* (Paris, L'Harmattan, *Espaces interculturels*, 2013), p. 13.

[8] Council of Europe, *L'approche integrée de l'égalité entre les femmes et les hommes, Cadre conceptuel, méthodologie et présentation des bonnes pratiques* (Strasbourg, May 1998), pp. 7-8, available at the following address: www.coe.int; Annie Cornet, "L'approche differenciée selon les sexes et le mainstreaming: quels impacts pour la gestion des organisations?", *Revue Management International* (Montreal, HEC), November 2002.

9. The world thus resembles a village made up of a kaleidoscope of composite and pluralistic societies,[9] States, organizations and institutions directed and influenced by persons coming from the four corners of the Earth, of difference ethnic, cultural, religious and political origins. The stakes have never been as high and the breadth and complexity of the challenges and constraints have never before been observed, in particular in an area as important as the public sector.

A. The existence of a range of characteristics for which all forms of discrimination are henceforth prohibited

10. The challenges of diversity are never-ending. To the extent that the international community records positive progress in the field of human rights and their universality, and in democracy, good governance and sustainable development and States and societies adopt these advances and make progress, consideration of diversity is becoming a matter of course, in view of the progressive expansion of the list of characteristics, observed worldwide, for which all forms of discrimination are henceforth prohibited.

11. Currently, the criteria for prohibited discrimination at various levels cover a whole range of characteristics, and the list is far from exhaustive. They can be inherent, genetic or acquired, physical, whether visible or functional, individually related to the life experience of the person, social or organizational:[10] origin, civil status, family name, sex, gender, age, skin colour, height, weight, sexual preferences, identity or orientation, current or future health status, handicap, pregnancy, nationality, birth, national or social origin, economic status, fortune, language, family situation, traditions, education, communication style, work style, real or assumed membership or non-membership in a nation, ethnicity, race, political or other opinion, union or group activities, religious, spiritual or philosophical beliefs.[11]

B. The challenge of context

12. Each nation, society or organization distinguishes itself by its history, view of its identity and its culture as a set of behaviours, values, beliefs and ways of thinking that we learn over the course of our development within a social group that determines how we see ourselves and how others see us. The cultural diversity currently prevailing has become global in scope,[12] in the same way as economic and social diversity and biodiversity. From a sociological and ethnographic point of view, we also agree to think that people, motivated by a sort of herd instinct, in general prefer to be with and associate with those similar to them, rather than those who are different, "by associating the familiar with comfort and the unfamiliar with

[9] Paul Pascon, "La formation de la société marocaine", *Bulletin économique et social du Maroc*, 1971.

[10] Annie Cornet and Philippe Warland, "La gestion de la diversité des ressources humaines" (see footnote, p. 6).

[11] See the website of the Office of the United Nations High Commissioner for Human Rights at the following address: www.ohchr.org.

[12] United Nations Educational, Scientific and Cultural Organization: *Investing in cultural diversity and intercultural dialogue, UNESCO World Report*, issued in 2010, available at the following address: unesdoc.unesco.org.

discomfort". We are also led to express daily our preferences, whether with regard to persons, groups of persons, products, services or places.[13]

13. On that basis, a multitude of papers, paradigms and approaches[14] have been implemented according to the contexts, organizational strategies or arrangements, either to simplify and bring order to a given environment, or to keep individuals or groups with certain intrinsic or extrinsic characteristics at a distance.

14. Defining the concept of diversity assumes above all an in-depth understanding of the surrounding context, local sociocultural perceptions and realities, as any relationship to difference is a social construct of ethnic, cultural, religious or political identities which are only applied in a particular context relating to a given historical period or a specific sociocultural environment.

C. Diversity of levels of understanding

15. The public sector has undergone major changes that have come to modify the concept of diversity and even challenge the understanding of it. Diversity was traditionally considered to be grounded in the fundamental principles of equal access, continuity and neutrality. As societies have evolved, other principles have emerged, including proximity, trust, simplicity, reliability, transparency, quality, accessibility, and, particularly, openness, listening, inclusiveness, diversity and participation of users, leading to new challenges and constraints.

1. Different dimensions to be managed simultaneously

16. The public sector must address and incorporate, often concurrently, a variety of different dimensions:

(a) Aspects relating to the individual and the collective sphere, or both;

(b) Political, economic, social, demographic, human, cultural, managerial, financial, technological, historical and environmental aspects;

(c) Commercial and non-commercial aspects;

(d) Physical and virtual aspects;

(e) Recognition of various other actors by the State: local authorities, businesses, citizens, civil society, users, clients, partners, stakeholders, minorities, foreigners and refugees;

(f) Recognition of different levels of responsibility, administration and governance in the context of decentralization processes; recognition of the various statutes of local authorities and promotion of local autonomy;[15]

[13] European Union Agency for Fundamental Rights, Council of Europe and European Court of Human Rights, "Handbook of European Law on Non-discrimination", Luxembourg, 2010, p. 23, available at the following address: http://europa.eu.

[14] Emmanuelle Le Texier, Olivier Esteves and Denis Lacorne, "Les politiques de la diversité, experiences anglaise et américaine", *Presses de Sciences Po* (Paris), 2010.

[15] See website of the Global Network of Cities, Local and Regional Governments at the following address: www.uclg.org.

(g) Lastly, the fact that public administration draws on various management methods and is responsible for ensuring the provision of public services, through delegation, outsourcing, regulation or simply privatization.

2. The growing diversity of the public sector environment

17. In its interaction with an environment that encompasses increasingly complex, heterogeneous, and multiactor societies, public administration must intensify its efforts to guarantee protection of the public interest, law enforcement, supervision, regulation and support vis-à-vis the other actors involved in the development process. It must invest in already scarce and limited resources in order to come to terms and connect with this reality, and address and anticipate needs. Government efforts in this area are nonetheless often inadequate. In addition to promoting exclusion and social inequalities, public policies are frequently developed, even imposed, unilaterally and uniformly, from the centre outward, without taking the time to know, understand or integrate this reality.

18. Public administration everywhere must contend not only with the emergence of multidimensional crises due to, inter alia, demographic changes, fast-paced urbanization,[16] the problems of youth, unemployment and the ongoing discrimination faced by certain social groups, but also with an increase in requirements and exploding demands taking form as public demonstrations.

3. The growing diversity of the workforce in the labour market

19. Public administrations must also address the transformation and increase in mobility of individuals in their careers, the issue of unemployed graduates, the feminization of the labour market, the academic achievement of girls in higher education and their legitimate aspirations and potential for leadership, disability issues and the arrival of foreigners and refugees.

20. In addition, while Western countries must contend with ageing populations, a shortage of qualified workers and chronic unemployment, most developing countries, including in Africa and the Arab world, are grappling with growing youth populations and increasing numbers of unemployed youth and young graduates. The complexity and cost of analysing the labour market and developing effective public policies on employment pose further challenges.

4. Diversity of civil service officials

21. Reflecting broader social and demographic diversity, the civil service is characterized by its diverse human capital pool in terms of profile, experience, qualifications, gender, age, origins, place of residence, health status, culture and religious and spiritual beliefs. Diversity also exists at the organizational, structural and functional level. An indispensable requirement for governance and performance, the diversity of recruited, appointed and elected officials at the national, local and extraterritorial level is currently a pressing concern for public administration.

22. The public sector is therefore required to address a number of pressing issues related to the growing diversity of actors, persons, territories and interests in all

[16] According to the World Bank, three out of five people will live in urban areas by 2050.

spheres.[17] Given its reliance on traditional, rigid and conservative models of civil service management, to what extent is public administration aware of these issues, and to what extent do they affect its performance and outcomes?

D. Challenges and issues relating to diversity management

23. Conditions where these concerns are denied, misunderstood, ignored or improperly managed can prove to be fertile ground for the development of stereotypes, value judgements, exclusionary behaviour, misrepresentation, insularity, mutual categorizations, bias, and unequal and discriminatory treatment on the basis of the characteristics mentioned above.

24. Human history provides numerous examples of the negative impact of such choices, and the effects are often first experienced within the public administration. In the workplace, such conditions can contribute to a variety of challenges that affect the vision, organization, management, productivity, competitiveness and performance of the administration, damaging its image: "This is not a good place to work."

25. Moreover, with regard to the interface between public administration and its environment, these conditions can often lead to a situation of multiple overlapping disadvantages[18] against certain categories of victims: loss of confidence in public institutions; negative perceptions of public service and the provision of public services;[19] feelings of humiliation, alienation, inequality, injustice and exclusion; insecurity; existing or acquired forms of social vulnerability; poverty; barriers to employment; unemployment; disintegration of social and family ties; crime; cybercrime; public services that function poorly, are on the verge of collapse or are ruined or vandalized; confining certain social groups or minorities to housing in neighbourhoods separate from the rest of the population, which end up as ghettos that are accepted as a de facto form of segregation and exclusion; substandard housing; the development of the informal sector; the spread of diseases and pandemics, in addition to a variety of other radical and extreme tendencies, such as parochialism, extremism, religious fundamentalism, terrorism, etc., giving the impression of a world dominated by chaos, fear of the future and, in particular, fear of others.

26. On the other hand, respect for diversity, combined with an integrated approach and effective management, can become an aspirational goal,[20] a philosophy to live by, an institution and the hallmark of an organizational culture based on respect for differences in accordance with the values and democratic foundations of the society in question and a commitment to the affirmation of differences.

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[17] Gérard Timsit, "La gestion de la diversité dans les pays européens. Partie II: Stratégies", United Nations Expert Group Meeting on Managing Diversity in the Civil Service, New York, May 2001; Belgium, "Diversité et ressources humaines: bonnes pratiques en Belgique et à l'étranger", 2010, available at the following address: www.fedweb.belgium.be; and Annie Cornet and Philippe Warland, *GHR et gestion de la diversité* (Paris, ed. Dunod, 2008).

[18] "Les États-Unis, modèle multiculturel?", interview with Denis Lacorne, *Revue de la Gendarmerie nationale*, 2nd quarter 2010, pp. 45-50; from the same author: *La crise de l'identité américaine, du melting-pot au multiculturalisme* (Gallimard, 2003).

[19] Opinion of the Economic, Social and Environmental Council of Morocco. "Governance of public services" — Self-Referral No. 13 – 2013, available at the following address: www.cese.ma.

[20] See Preamble to the United States Constitution.

IV. A solid basis for diversity management

27. A variety of factors must be taken into account when addressing these issues, which must be considered jointly in order to ensure the success of any diversity management policy and to combat all forms of discrimination.

A. Equality, non-discrimination and respect for diversity, basic tenets of international human rights law

28. Equality, combating discrimination and respect for diversity are grounded in universally recognized human rights principles. A country cannot achieve democracy, the rule of law, democratic and participatory governance, development, social cohesion and peace without the de jure and de facto recognition, effective and active involvement and the dignity, inclusion and integration of all its constituents, capabilities and human capital in its processes of advancement, development and progress. Addressing these concerns is part of the daily work of the international community to which it attaches high priority, as evidenced by the wide range of international legal texts, structures, vast expertise, tools and good practices that have been established in this area.

29. Important work is being carried out by the various United Nations structures, such as the Office of the High Commissioner for Human Rights, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), and the United Nations High Commissioner for Refugees, which have undertaken significant efforts, while remaining largely within the sphere of competence and responsibility of States and their public institutions, in a number of areas that have become the main focus of the international community, including: equal participation in public and political affairs, social inclusion and integration, combating discrimination against indigenous peoples, the elderly, youth, employment and decent work, the status and rights of women, persons with disabilities, minorities, migrants, children, refugees, stateless persons, displaced persons, discrimination on the basis of race, religion, sexual orientation and gender identity, contemporary forms of slavery, health, education, the right to adequate housing, human trafficking, traditional values, the private sphere and cultural rights.

30. In view of the increasing number and complexity of the issues surrounding cultural diversity that have emerged at the beginning of the twenty-first century, it is essential to continue to tease out the necessary conditions for diversity to become an asset and not a threat, a source of renewal for public policies in service to development, social cohesion and peace.[21]

31. Given its scope and the variety of contexts that must be taken into account, the implementation of a universal normative framework represents a major challenge to States and has given rise to significant efforts to harmonize national legislation and develop regional instruments, and to a diversity of institutional practices aimed at combating discrimination and promoting diversity.

[21] UNESCO World Report (see footnote p. 12), p. 260; UNESCO Universal Declaration on Cultural Diversity, adopted unanimously at its thirty-first session, and M. Vatz et al., *Les défis de la diversité* (see footnote p. 7).

B. A response to sustainable development concerns

32. First and foremost, as a tool of the State that acts as an interface with society and is tasked with serving populations, territories and national interests, public administration is required to provide public services that more effectively represent the population and reflect its multidimensional diversity.

33. In that connection, the 2030 Agenda for Sustainable Development represents a new vision and an ambitious agenda for the next 15 years in areas of crucial importance for humanity, as well as for social, economic and environmental development. As evidenced by the 17 sustainable development goals and 169 targets, concerns pertaining to diversity and the related principles of dignity, non-discrimination, equity, justice, tolerance, equal rights, treatment and opportunity, inclusion, integration and openness are the foundation and cornerstone of sustainable development (see General Assembly resolution 70/1, para. 8).

C. A response to public governance concerns

34. The crisis of confidence in public service around the world can largely be explained by governance gaps, understood as "a system of values, policies and institutions by which a society manages its economic, political and social affairs through interaction within and among the state, civil society and the private sector".[22] Strong, effective, accountable and transparent institutions and good governance at all levels are recognized as a catalyst for sustainable development, so much so that the international community has prioritized them as an end in themselves (see A/RES/70/1, Goal 16). This is tantamount to establishing, for all actors and stakeholders of a given country a system for drafting open and informed policies, a professionally demanding administration acting transparently under the rule of law for the common good, and a strong civil society that participates in public affairs,[23] given that diversity must be understood at two levels: within and among these different actors and stakeholders.

35. Managing diversity within public administration, on the one hand, consists of "the implementation of a human resources management policy intended to offer employment and career opportunities to all citizens matching their skills and aspirations, on a basis of equal opportunity and treatment for all workers in a context where all forms of discrimination are outlawed"[24] and, on the other hand, the establishment of principles, policies, mechanisms and tools guaranteeing an open and inclusive public sector receptive to its environment. However, managing and sustaining diversity in no way means excessively promoting or encouraging it,

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[22] O.P. Dwivedi, "Les défis de la diversité culturelle pour la bonne gouvernance", United Nations Expert Group Meeting on Managing Diversity in the Civil Service, New York (May 2001).

[23] Frederickson H.G., *The Spirit of Public Administration* (San Francisco, Jossey-Bass, 1997).

[24] Belgium, "Diversité et ressources humaines" (see footnote p. 17), R. Roosevelt Thomas, founder of the American Institute for Managing Diversity in 1984, "From Affirmative Action to Affirming Diversity", Harvard Business Review, vol. 68 (No. 2) (1990), p. 107-117; Harvey C. and Allard M. J., *Understanding Diversity, Readings, Cases and Exercises* (New York, Harper Collins College Publishers), p. 40.

at the risk of jeopardizing national unity and community cohesion, or fostering disintegration and fragmentation.[25]

36. As an essential feature in the life of any organization and one inseparable from the challenge of growth, the management of diversity has emerged as a strategic enabler and an avenue for progress that responds to multiple demands, related to a desire for positive organizational, governance and management changes. These demands include:

(a) Compliance with international commitments, the rule of law and legality, thereby avoiding a loss of reputation;

(b) The consolidation of responsive, transparent and inclusive public institutions, and the strengthening of good, participatory and democratic governance at all levels, including in terms of decision-making, in accordance with General Assembly resolution 69/327 "Promoting inclusive and accountable public services for sustainable development", in particular paragraphs 12 and 13;

(c) The commitment to being a socially responsible organization, endorsing the corporate social responsibility[26] approach, by building a positive, humane and ethical image within its workings and in its relationship with the environment;

(d) Public service modernization and the optimization of human resources management by developing management practices focused on individuals and their potential, expertise and talents, while ensuring that their sociocultural diversity and heterogeneity do not become an obstacle, but rather an asset for mutual enrichment, a reservoir of collective knowledge and a competitive advantage for growth;

(e) Improved performance within public administration through a diversified team, which helps to better understand the expectations of its different types of clients, to penetrate new markets, to develop the capacity for innovation, to better adapt to change, to enhance the efficiency and effectiveness of public service tasks, to improve the quality of public service delivery, to manage conflicts and risks, and to ensure resilience;[27]

(f) The improved image and perception of public administration, including in communicating how it delivers public services.

37. How can integrating diversity contribute towards establishing this kind of a symbiosis between respect for human rights, sustainable development, good governance at all levels, peace and social cohesion?

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[25] Gerard Timsit, "La gestion de la diversité" (see footnote p. 17).

[26] See ISO 26000 standard, adopted in 2010, and the European Commission standard, adopted in 2011; available at the following addresses: www.developpement-durable.gouv.fr; www.international.gc.ca.

[27] Maria Giuseppina Bruna and Mathieu Chauvet, "*La diversité, Levier de performance*" (see footnote p. 2) "Diversité, un enjeu de performance dans le secteur public", *Perspectives — Gestion publique* (Institut de la gestion publique et du développment économique, no. 22, February 2007).

V. The existence of ideal types and good practices around the world

38. While the management of diversity is often central to the political and ethical agendas of representative bureaucracies, it is sometimes regarded as a luxury, especially in countries whose civil service is still in its infancy and in poor countries or countries in situations of conflict. In other countries, managing diversity is a tangible commitment to promote processes for the recognition and participation of various actors in creating a more harmonious coexistence and in attempting to combat exclusion related to any differences. Hence, a variety of models and good practices around the world can serve as ideal types, taking into account the context and specificities of each country.

A. Anglo-Saxon models

39. In the context of the United States of America, where the concept is now formalized both in law and in judicial practice, diversity has become a genuine institution to be taken into account, and refers to "a vision of the world where everyone has the same rights and, in particular, enjoys the same freedom, and where all discrimination has been abolished. It alludes to the notion of various communities being represented in organizations and institutions"[28] and seeks to recalibrate for populations or communities suffering from cultural, social or legal discrimination. However, it should be borne in mind that this is a "nation of several peoples"[29] which, since its origins, has traditionally welcomed peoples of diverse origins, with their own languages and cultures, and which, moreover, is a federal State with several levels of sovereignty. Furthermore, it has taken a series of historic developments and the vision of a nation under construction to arrive at the stage where differences are recognized and valued; however, the successful completion of that task remains remote (as demonstrated by the many incidents of opposition between the police forces and the black community in several states). There has been a shift in ideology from the melting pot that suppresses differences to speech about assimilation, and then from the theory of cultural pluralism to that of diversity.[30]

40. At the institutional and legal levels, the issue of diversity has seen two key periods. In the 1960s, the equal employment opportunities institution, a set of laws that made discrimination illegal at different levels, the most important being the Civil Rights Act adopted in 1964; and affirmative action or positive discrimination, a sort of catch-up policy among unequal groups involving preferential treatment and compensation.[31] A powerful tool, positive discrimination has helped to diversify companies and is credited with turning the United States into the country with the most women managers in the world. However, it remains true that this practice, positive or benevolent in nature and an exception to be tolerated and applied temporarily in principle, is itself discrimination that runs counter to the principle of

[28] Aurore Haas and Sakura Shimada, "(Re)définer la diversité" (see footnote p. 2).

[29] Les États-Unis, modèle multiculturel?, interview with Denis Lacorne (see footnote p. 18).

[30] Ibid.

[31] Gwénaële Calvès, "Qu'est-ce qu'une politique de discrimination positive? Que peut-on en attendre?", *Alternatives Économiques*, January 2005; Amanda de Montal, "Étude de Benchmark sur la diversité aux USA", Association française de management de la diversité, available at the following address: www.afdm.fr.

equality before the law. It was challenged in the 1980s, leading to several disputes and protests.[32]

41. In the 1990s, as a supplement and counter-proposal to positive discrimination, the concept of diversity emerged as a process providing a diversified collective with two main opportunities to find means of expression: on the one hand, marketing and a user or customer-oriented approach that seeks to listen to, get closer to and meet the needs of an increasingly culturally diverse population; and, on the other hand, equality by means of a liberal and individualistic ideology based on respect for differences but, above all, on a meritocracy and the recognition of one's abilities alone.

42. For other English-speaking countries, such as Australia, Canada and the United Kingdom of Great Britain and Northern Ireland, it is rather the concept of multiculturalism that prevails and is the official means of addressing and managing differences; these are recognized and valued, and maintaining and celebrating them is encouraged. The same is true for immigration, which is considered to make a significant demographic, economic and cultural contribution[33] and for the integration of diversity within the public service. One example is the action plan drawn up by the Government of the United Kingdom in 2004, aimed at increasing the number of target groups at different levels of the administration and instructing all ministries and agencies to name their diversity champions. The latter form a network that optimizes, shares and pools good practices, provides mutual assistance to remain at the cutting edge of initiatives and helps foster cultural and behavioural changes that promote diversity within organizations.[34]

B. European models

43. There are two types of discrimination under European non-discrimination law: direct discrimination, which occurs where one person is treated less favourably than another is, has been or would be treated in a comparable situation on grounds of racial or ethnic origin and the difference in treatment results from the fact that the person holds a particular characteristic which falls under a protected ground, and indirect discrimination, which occurs where an apparently neutral provision, criterion or practice would put persons of a racial or ethnic origin at a particular disadvantage compared with other persons.

44. On that basis, it is possible to distinguish at least three primary models for dealing with diversity within the European public service, which are all deeply democratic and based on a conception of a society as a complex entity, the management of which is an instrument in the service of all, whether the administration uses that instrument to preserve the unity of society, accepts the heterogeneity of society, or refrains from any intervention that could seem to favour

[32] See application of this practice within Europe, Marc de Vos, *Beyond formal equality: through affirmative action under Council Directives 2000/43/EC and 2000/78/EC* (Luxembourg, Official Publications Office of the European Communities, 2008).

[33] Belgium, "Diversity and human resources" (see footnote p. 17).

[34] United Kingdom of Great Britain and Northern Ireland, National Audit Office, *Equality, Diversity and Inclusion in the Civil Service*, 2015, available at the following address: www.nao.org.uk.

one or another of the groups that comprise it.[35] Which model each European country chooses to follow is largely dependent on its culture and the types of diversity to be managed.

1. Non-differentiation model

45. This model is based on the principle of the oneness of society, and a consequent refusal to recognize diversity within it. This is the case in France where, as a result of the country's political tradition and the idea of a nation that is one and indivisible,[36] concerns about differences fall within the context of efforts to achieve equality, combat discrimination and bring about integration. French history tells us that in the name of the equality of all citizens before the law, no difference between individuals will be taken into account except competence. This is clearly the case in the public service, where the underlying principles are the indivisibility of the Republic, national sovereignty and equality before the law.[37] While French diversity policies include initiatives such as the Diversity Label (2008) and positive and compensatory discrimination measures, the obsession with oneness remains significant, as discrimination is recognized but community identities are not.[38]

2. Differentiation model

46. In countries with a dominant liberal culture, such as those of Northern Europe, the heterogeneity of the groups that make up society is taken into account through generalized differentiation models and varied treatment of those groups depending on their position and specific status within the broader society. Countries such as Sweden and Denmark have incorporated diversity through a multitude of initiatives and good practices relating to diversity in terms of territory, interests and persons.[39]

3. Separation model

47. This model, which reflects an entirely different logic, involves a separation between groups and the State. In principle, the State does not have any involvement in the management of the groups but simply ensures respect for their autonomy and operational freedom. This is the case with the principle of secularism, the complete disassociation of religious affiliation and citizenship. The principle, which is nearly synonymous with pluralism, is seen as means of managing religious diversity and has been adopted by almost all European countries.[40] However, there is little evidence of its implementation in the public sector, in the face of the question of how to reconcile freedom of conscience, pluralism of thought, indifference, unobtrusiveness and the desire to manifest one's religion, which is a commitment

[35] According to the classification by Gérard Timsit (see footnote, p. 17).

[36] Declaration of the Rights of Man of 1789; French Constitution of 4 October 1958, article 1.

[37] Aurore Haas and Sakura Shimada, "(Re)définir la diversité: de la représentativité à la gestion de l'altérité" (see footnote p. 2).

[38] In its decision No. 91-290 of 9 May 1991 on the Act on the statute of the territorial community of Corsica, the Constitutional Council refuses to recognize a Corsican people distinct from the French people. It argues that there is only one people, the French people, although there may be particularities within it. See also "Les États-Unis, modèle multiculturel?", interview with Denis Lacorne (see footnote p. 18); Gérard Timsit, "La gestion de la diversité" (see footnote p. 17); Diversity Charter (2004), available at the following address: http://www.charte-diversite.com.

[39] Belgium, "Diversité et ressources humaines" (see footnote p. 17).

[40] Gérard Timsit, "La gestion de la diversité" (see footnote p. 17).

and an integral element of identity. Various sections of central and regional public administrations are struggling with issues and constraints related to that question, in addition to the risk of their being manipulated to undermine mutual respect, peace, conviviality and social cohesion.[41]

C. Mixed Arab-African model

48. First and foremost, it should be noted that African society is very diverse in every respect and at all levels. The fact that the social balance is built on such characteristics, at least in traditional African society, fosters a certain harmony and tolerance that are only undermined or disrupted when diversity itself is undermined or when discrimination takes on alarming proportions. That was common practice during the colonial period and but has also frequently occurred since, in particular in the form of leaders attempting to impose, unilaterally or by force, discriminatory practices favouring persons of their own ethnic group, family, language, beliefs, religion or political views, resulting in the above-mentioned problems and negative impact or simply degenerating into conflict or genocide.[42]

49. Morocco is one of the countries that has been able to manage diversity well. Morocco is a composite, pluralistic nation that has been influenced by a number of peoples, cultures and civilizations, and diversity was established as a principle in its 2011 Constitution. Morocco intentionally manages the differences that characterize every aspect of its society in such a way as to include all persons, interests and territories, as well as all actors, components of society and stakeholders, in "a modern State, having as its foundation the principles of participation, pluralism and good governance".[43]

50. However, attempts to standardize or scale up diversity management or to rigidly transpose specific practices should be avoided, as they could end up being risky ventures fraught with obstacles that do not produce concrete results or effects.

VI. Towards a holistic, integrated, inclusive, progressive and sustainable vision and approach

51. There are three possible approaches to diversity management in the public sector, which may also be combined or develop through social change: a strategy that denies the existence of the problem; a reactive strategy for dealing with issues giving rise to sporadic tension or conflict, such as harassment or exclusion; and a truly forward-looking, proactive, open, inclusive, integrative and unifying strategy in line with the spirit and the letter of the people-centred, transformative 2030 Agenda for Sustainable Development.

52. A new way of thinking emerges once the focus is on changing the attitudes, climate and organizational culture at all levels, when the challenges and issues are seen as multidimensional and when diversity is considered to be a social phenomenon that must be dealt with in its entirety. This new way of understanding

[41] La Ligue de l'enseignement, "La laïcité pour 'faire société'", 6 April 2012, available at the following address: www.laligue.org.

[42] Mamosi Lelo, "La prise en compte de la diversité dans la fonction publique africaine".

[43] Preamble to the Moroccan Constitution.

and managing differences involves putting the issue of diversity at the heart of all organizational change, opting for holistic, systemic and progressive approaches, bringing together various areas and levels of action, responsibility and reform, all the while ensuring that the necessary resources are mobilized.

A. At the international level

53. Efforts must be made to ensure that the new Sustainable Development Agenda is shared, disseminated, promulgated, supported and promoted to the benefit of all actors and stakeholders, so that it does not continue to be the exclusive domain of a few central administrative systems. This should be done through programmes to inform, raise awareness and provide support, training and capacity-building, with a view to promoting the emergence of a culture of diversity and the sharing, recognition, and celebration of best practices.[44]

B. Creation of a favourable and enabling environment for diversity integration at the national level

54. The creation of such an environment requires a solid institutional and legislative diversity integration framework at all levels; responsible, democratic, inclusive and participatory governance; public policies; decision-making processes; effective structures and mechanisms to promote integration, coordination and coherence; investment in civic engagement; strong, competent and ethical leadership at every level; commitment and responsibility at the highest levels of hierarchies and management; the implementation of the necessary changes; quantitative and qualitative evaluations of the internal and external context and the perception of all sectors and characteristics; the establishment of reliable systems for dealing with data, statistics, indicators and data bases; the development of specific strategies and action plans; the creation of dedicated entities;[45] a greater number of information, dialogue, consultation and negotiation platforms; normalization, standardization and recognition; monitoring, control and evaluation; accountability; internal and external communication plans; and guarantees to ensure the capitalization, sustainability and durability of all of those approaches and reforms.

C. Reforming, modernizing and increasing the value of public administration by incorporating diversity

55. It is high time in most States that the public sector ceases to be the poor relation, a charitable organization or an opportunity for unjust enrichment. That

[44] See United Nations Public Service Award winning projects since 2003; European Public Sector Award-winning projects; Neil. E. Reichenberg, "Best Practices in Diversity Management", United Nations Expert Group Meeting on Managing Diversity in the Civil Service, New York (May 2001); Amanda de Montal, "Étude de benchmark sur la diversité aux USA" (see footnote p. 31); "Diversité et ressources humaines" (see footnote p. 17); Royal Bank of Canada, "Rapport sur la diversité et l'intégration".

[45] See the identification and comparative analysis of international experiences in the institutionalization of anti-discrimination action in National Human Rights Council and UN-Women, "Vers la mise en place de l'Autorité pour la parité" (see footnote p. 5).

change should be effected by putting an end to outdated models and making a firm commitment to thoroughly reform public administration, from its principles to its organization, structures, infrastructure, human resources, management, decision-making processes, relationship with its environment and methods of providing public services. When properly managed and integrated, diversity and action against all forms of discrimination can play an important part in positioning the sector as a true driver of change, development and performance, as highlighted in the 2015 World Public Sector Report.[46] For that to happen, the public sector must be able to draw strength from its human capital; from what its staff have in common and from what makes them unique.

56. To become galvanized, efficient and competitive, the public sector must provide its staff with a human, welcoming, convivial, appealing and motivating work environment, with leaders setting an example, providing motivation and instilling hope and trust. The work environment should free talent instead of stifling it and allow staff to perfect their skills, innovate and realize their full potential in order to enhance their value not only to the administration but, above all, to those they serve.

57. The public sector bears much of the responsibility for providing a healthy, profitable environment that functions well for all, for developing a sense of justice, equity and belonging, and for creating opportunities for society to flourish, grow, develop and progress. Many good practices exist in that regard, including the establishment of participatory societies, citizen accountability, innovative mechanisms such as co-creation and co-production, investment in information and communications technology in order to improve communication and the provision of public services, the reduction of the digital divide, digital inclusion, and ensuring normalization, standardization, etc. by giving priority to women, elderly persons, youth, persons with disabilities and other disadvantaged groups.

58. In conclusion, it should be borne in mind that diversity is just one aspect of a broader issue; what is most important is knowing how to make use of diversity as an advantage and an asset. There will be a lengthy commitment and a cost involved if we truly desire to improve the current reality by making diversity a strategic priority and a fundamental concern.

[46] United Nations Department of Economic and Social Affairs, *Responsive and Accountable Public Governance: 2015 World Public Sector Report*, pp. 35-36.

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Moving from commitments to results: transforming public institutions to facilitate inclusive policy formulation and integration in the implementation and monitoring of the Sustainable Development Goals: improving engagement and communication between Governments and stakeholders, including through access to information, open government and electronic and mobile solutions

Institutional capacity for the administration of public space in sustainable development: interaction between government and society

Note by the Secretariat

The present paper, prepared by Committee member José R. Castelazo, is hereby transmitted in accordance with the provisional annotated agenda of the fifteenth session of the Committee of Experts on Public Administration. The content of the paper and the views expressed therein are those of the author and do not imply any expression of opinion on the part of the United Nations.

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Institutional capacity for the administration of public space in sustainable development: interaction between government and society

Summary

The present paper reflects on ways to enhance the responsiveness of public, social and private institutions in order to improve quality of life in a public space that comprises public interest, public values and public influence at the global, national and local levels. The author observes that the gradual expansion of public space into the private sphere constrains both individual actions and the discretionary exercise of State authority. The complexity of sustainable development itself places difficult demands on government.

Given these constraints, as well as increased citizen expectations, an inclusive, systemic approach to the interaction between government and society is needed. The author finds that institutional capacity for the administration of the public space is linked to a systemic approach through a common purpose, for example in the form of the sustainable development goals, rationality of institutions, professionalism of the public sector, strategic communications and effective policy implementation.

The author identifies a number of key principles for the administration of the public space in pursuit of sustainable development, namely, openness, proper management of decision-making that incorporates consultative processes, clarity of roles within a framework of shared responsibility, and an enabling legal framework. At the same time, the author indicates that attention should be given to the proper administration of justice, corruption prevention, administrative reform, including through the use of information and communications technology, and fiscal prudence, all of which in turn strengthen civic capacity and help to build trust.

I. Introduction

1. This paper discusses how to increase the responsiveness of public, social and private institutions through responsible interaction in order to improve the quality of life in public space, linked with the Sustainable Development Goals.

2. The task requires in-depth analysis of the purposes of the State in the current context of complexity, given that the strictly private and personal sphere is contracting as public space expands; awareness of the gradual restriction of the family or social sphere; and openness to scrutiny by third parties in the light of the expansion of the original charter of human rights[1] and the increased number of social rights. In practice, this has taken the form of objective limitations on the discretionary exercise of State authority.[2]

II. Public space

3. In order to construct the concept of "public space", it is important to refer to three of its components: public interest, public value and the public sphere in daily life, the last of which should be considered in the light of the first two, whether at the global (macro) level, the regional or continental (meso) level or the national (micro) level, which includes the subnational and local levels, as will be seen later.

4. The public interest — a synonym of the common good, *res publica*, *vox populi*, or other meanings that have found a place in a philosophical, legal, political, sociological, religious and, of course, governmental debate through the centuries — represents that common "something" that affects the community as a whole.

5. The concept implies the fulfilment of the purposes of the State and, therefore, imposes on it a responsibility[3] which, in human evolution, has been attributed solely to the person or persons responsible for political leadership, i.e. the government, whether the systems for the exercise of power are fragile or primitive ones, or more complex ones that have evolved from experience of all the known types of regimes of authority and legitimacy.

The expansion of public space

6. However, this responsibility has been gradually expanding from the division of power, electoral systems and party politics, access to governmental public information, transparency and accountability, and so on, to the formulation of a shared direction; that is, joint responsibility between government and society for ensuring overall social welfare, national security, the lives and integrity of persons and property, political and economic stability and, in line with future perspectives, sustainability.

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[1] Universal Declaration of Human Rights, 1948. See http://www.un.org/en/universal-declaration-human-rights/index.html.

[2] The proliferation of non-governmental organizations (NGOs), the increased number of specific social causes, the emergence of new social media, and government openness to public oversight beyond that carried out by parliaments or congresses.

[3] The nature of this responsibility is legal (rule of law), political (institutional resolution of conflicts), social (committed participation) and economic (stability).

Application of the systemic approach in the analysis of complex public space

7. The current circumstances necessitate a redefinition of public space through a systemic vision of its complexity. Bringing together these two theoretical approaches (systems and complexity),[4] with a view to explaining the real world and developing the capacity to adapt to it,[5] helps us to understand the pre-text, the con-text and the text,[6] and decision-making in the various evolving situations of societies in the world.

8. Systemic thinking is vital in order to act assertively in the modern world. It is likely that Ludwig von Bertalanffy[7] and other classical scientists who followed him did not foresee how profound his theory would prove to be in practice: there are few things so necessary at the current time in history as to apply this thinking in the political and administrative arena.

9. Below is an attempt to demonstrate the "puzzle" of locating public space in a complex world using the systemic approach, so that the whole issue can be addressed in the 2030 Agenda for Sustainable Development.

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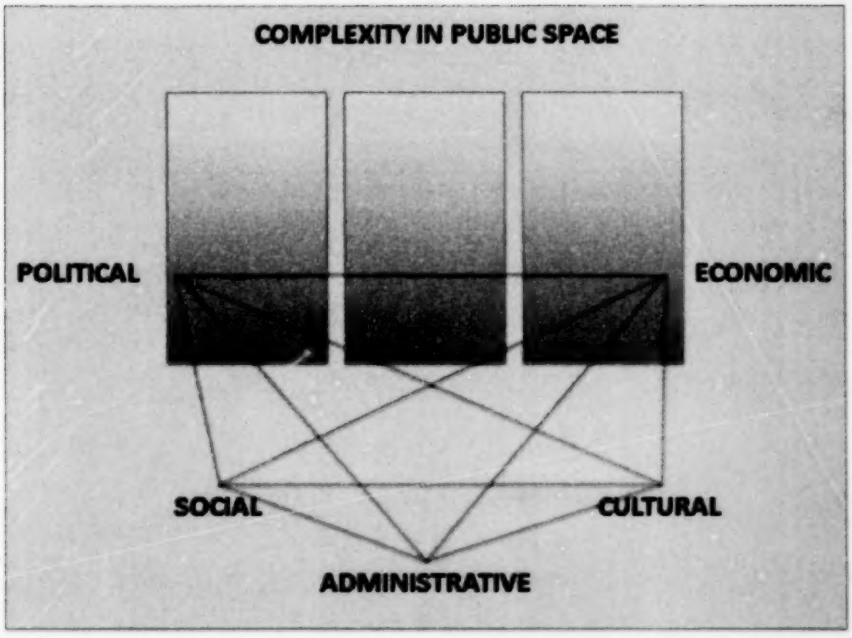
[4] Edgar Morin, *Introducción al pensamiento complejo* (Introduction to complex thinking) (Barcelona, Gedisa, 2009) and David Easton, *A Systems Analysis of Political Life* (New York, John Wiley and Sons, Inc., 1965).

[5] Course on the challenges of Mexico's future, John F. Kennedy School of Government, Harvard University, January 2005. Cited in José R. Castelazo, *Administración Pública: Una Visión de Estado* (Public Administration: A State Vision) (Mexico City, National Institute of Public Administration, 2010), p. 147.

[6] Prepared by the author on the basis of the Spanish: a "pre-text" leads to reflection before a position is taken, "con-text" is in the present, indicates different actions to be taken and constructs scenarios with various possible bases for decisions that result in a "text" with general objectives, accompanied by a "technical operative text" for the purpose of achieving objectives and implementing decisions.

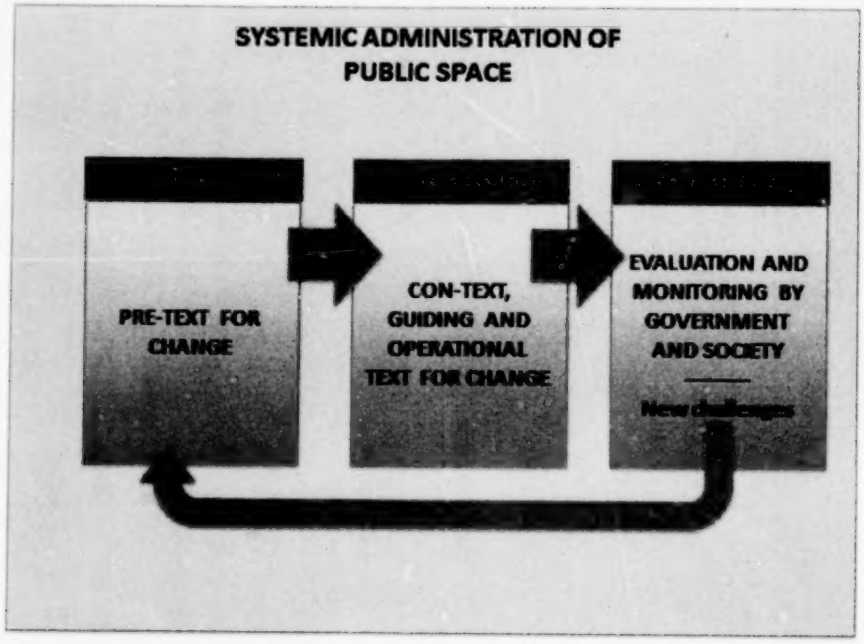
[7] Ludwig von Bertalanffy, *Teoría General de los Sistemas* (General System Theory), 2nd ed. (Madrid, Fondo de Cultura Económica, 1976).

Figure 1
Complexity in public space



10. This figure provides a holistic perspective for ensuring the thorough and ongoing review of current circumstances in the changing reality around us, in a network of constant interaction, with the participation of multiple actors that put forward different ideas and defend various interests, all of which must be taken into account in order to prepare for the relevant change.

Figure II
Systemic administration of public space

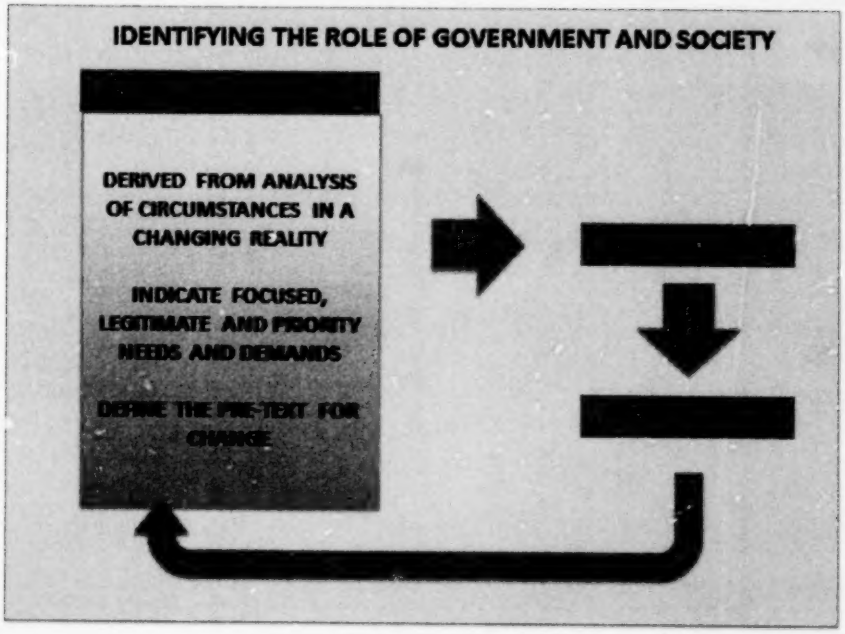

SYSTEMIC ADMINISTRATION OF PUBLIC SPACE
PRE-TEXT FOR CHANGE
CON-TEXT, GUIDING AND OPERATIONAL TEXT FOR CHANGE
EVALUATION AND MONITORING BY GOVERNMENT AND SOCIETY
New challenges

11. The diagram represents the route to be followed; it sticks to a scientific method, without forgoing creativity and survival instincts with regard to sustainability.

12. The systemic approach is not dogmatic; it constitutes a link between democratic values, events that occur and actions that are taken to achieve democracy. It is a pragmatic scientific resource, removed from ideological influences or schools of thought that involve attempts to impose their own agendas. It is an inclusive approach.

13. This rapprochement between theory and practice opens the door to understanding that solving problems in a context of complexity has to be the result of hard work built on knowledge.

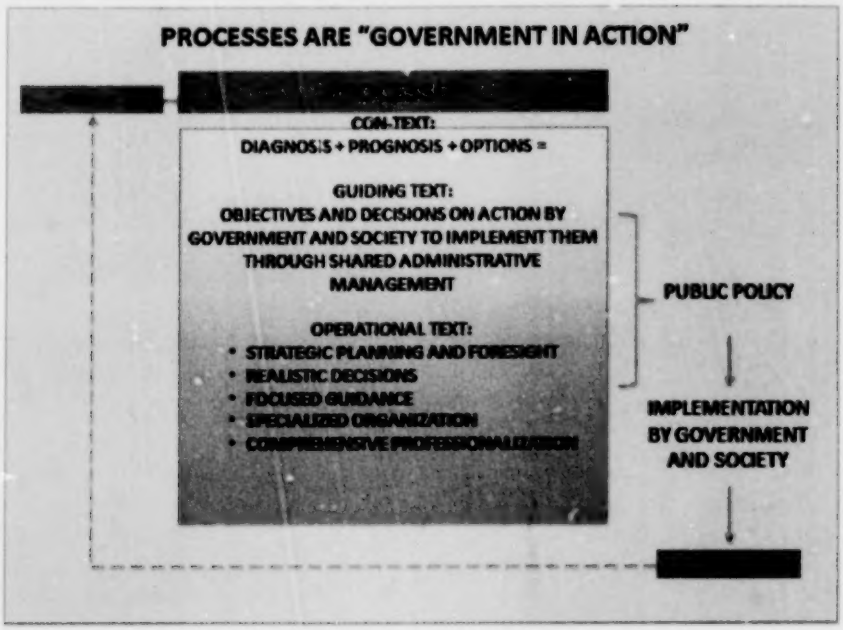
Figure III
Identifying the role of government and society


IDENTIFYING THE ROLE OF GOVERNMENT AND SOCIETY
DERIVED FROM ANALYSIS OF CIRCUMSTANCES IN A CHANGING REALITY
INDICATE FOCUSED, LEGITIMATE AND PRIORITY NEEDS AND DEMANDS
DEFINE THE PRE-TEXT FOR CHANGE

14. The inputs are material and intellectual elements that can be disaggregated in order to understand causes and effects. Consideration will have to be given to whether they are retained, modified or replaced by new components that meet the needs and demands (real, perceived and/or created) of different social groups so as to define, in conjunction with those groups, priorities and actions that are conducive to change and that provide the pre-text for action, uniquely with regard to the exercise of public power.

15. This reality localizes and focuses needs and also establishes the path to solutions; it thereby shapes the authentic and legitimate inputs that are vital in order for joint action to be launched by government and society.

Figure IV
Processes are "government in action"

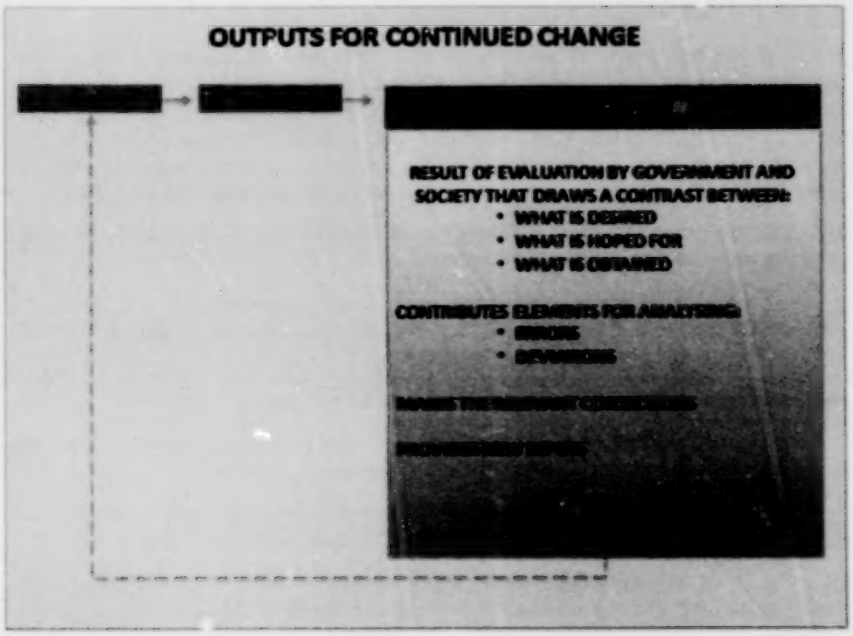

PROCESSES ARE "GOVERNMENT IN ACTION"
CON-TEXT:
DIAGNOSIS + PROGNOSIS + OPTIONS =
GUIDING TEXT:
OBJECTIVES AND DECISIONS ON ACTION BY GOVERNMENT AND SOCIETY TO IMPLEMENT THEM THROUGH SHARED ADMINISTRATIVE MANAGEMENT
OPERATIONAL TEXT:
• STRATEGIC PLANNING AND FORESIGHT
• REALISTIC DECISIONS
• FOCUSED GUIDANCE
• SPECIALIZED ORGANIZATION
• COMPREHENSIVE PROFESSIONALIZATION
PUBLIC POLICY
IMPLEMENTATION BY GOVERNMENT AND SOCIETY

16. Taking this step makes it possible to perform a general and specific diagnosis of the situation concerned that can be used to predict the immediate and medium-term future and makes clear the scale of the change or changes and the efforts at rational organization that are required both of government and of society, united in a common purpose.

17. The study of needs and possible solutions establishes the con-text, with its limitations and opportunities, and gives rise to the text, which is translated into plans, strategies, programmes, budgets, possibilities, organization and processes — in short, applied knowledge and transformative action in order to obtain outputs that are satisfactory for human development in a community.

18. Constructing the con-text and the text is a political decision, since it requires different types of negotiation and coordination based on knowledge that is shared by government and society and that makes them aware of the urgent need to join forces at different levels, from the international to the local, with broad participation and an inclusive attitude on the part of all; the need to measure economic conditions so as to make change viable; and the need to open up channels for the development of different institutional capacities strengthened by a solid social fabric.

Figure V
Outputs for continued change


OUTPUTS FOR CONTINUED CHANGE
RESULT OF EVALUATION BY GOVERNMENT AND SOCIETY THAT DRAWS A CONTRAST BETWEEN:
• WHAT IS DESIRED
• WHAT IS HOPED FOR
• WHAT IS OBTAINED

19. The figure represents the type of evaluation by government and society that is to be used, given the need to standardize criteria and to define parameters and indicators that go beyond the current situation and to generate projections that extend further in time and space and that deliver the depth of transformations that sustainable development requires.

20. The challenge of evaluating sustainable development outputs is no less great. It is imperative to create a new culture for the current generations as a precaution against the difficulties and serious obstacles that future generations will encounter in living in harmony with each other and with nature: new legislation, new organization of government and society, new administrative practices based on new democratic practices, such as those relating to human rights, inclusion, transparency, accountability, control, etc.

21. It is therefore necessary to rethink "public space" as a legally delimited forum so as to identify the type of responsibility required by contemporary society, which hinges on rational and active organization, without fragmenting the State's authority and taking care to ensure that the distribution of power strengthens rather than weakens the State. In other words, it is necessary to shift to a post-bureaucratic stage where the roles of government and organized society are joined in an effective, legally shared and binding responsibility.[8]

[8] Jordi Borja and Zaida Muxi, *El espacio público, ciudad y ciudadanía* (Public space, city and citizenship) (Barcelona, 2000).

Public value geared towards social cohesion

22. Public value should be viewed from a platform that connects the social sphere with the political, economic and cultural spheres.[9]

23. The social sphere is actively oriented towards community cohesion and interconnectedness; the political sphere towards the peaceful resolution of conflicts through the law and the civility of the actors; and the economic sphere towards social productivity, which, when combined with stability — and in conjunction with the political sphere — enables homeostasis to be achieved in the system. Lastly, the cultural sphere is focused on the features and characteristics that make up identity.

24. The combination of these factors makes it possible to list a number of public values that are closely related:

(a) A collective commitment to act in accordance with the law, defending individual rights, provided that the rights of all are preserved and protected;

(b) Cooperation within the group and with and between institutions, with a view to exceeding the current conditions for sustainability;

(c) Institutional solidarity and solidarity with people in order to support the activities of society at all times and in all circumstances;

(d) The fostering of institutional productivity between society and government in order to improve the quality of life now and in the future.

25. The interconnectedness of these public values is likely to enrich the value of public space and also to strengthen private and personal spaces: feeling secure, respected and included in the decision-making process will foster loyalty to institutions and enhance brotherhood and the feeling of belonging both to a particular country and to the world as a whole.

26. This combination of factors makes sense in a multicultural society, which in various ways threatens community integration, partly because the dominant socioeconomic system[10] exacerbates inequality and partly because of the tendency of different groups to turn inward, which gives rise to a lack of communication and a lack of tolerance.

27. It is therefore important to understand that the public sphere is a part of life at all times: in health, education, housing, services and recreation, and indeed in the interaction of individuals with the government and within their different social contexts, such as family, work and leisure time.

III. Categorization of public space

28. The systemic approach leads to the establishment of categories in which the dimensions of public spaces and their consistent impact on each individual, and on the social groups in which they interact, serve as reference points. While such

[9] Amartya Sen, "Democracy as a universal value", *Journal of Democracy*, vol. 10, No. 3 (1999) and Norberto Bobbio, "The great dichotomy: public/private", in *Democracy and Dictatorship: The Nature and the Limits of State Power* (Cambridge, United States, MIT Press, 1989).

[10] Thomas Piketty, *El capital en el siglo XXI* (Capital in the Twenty-First Century) (Mexico City, Fondo de Cultura Económica, 2015).

interaction may clearly take many different forms, there is an unavoidable link between authority and responsibility in decision-making and in public policy formulation, programming, implementation and evaluation, and in future results (strategic foresight).[11]

Dimensions of the system

29. Urie Bronfenbrenner proposes a system that is structured by levels in his book *The Ecology of Human Development*. Three of these levels serve the purposes of our argument: the macro, meso and micro levels.[12] The author argues that the capacity to form a system depends on the existence of social interconnections, both within the system and to external systems, in a codependency that requires constant interaction.

30. In this paper "macro" is comparable to the global level, "meso" to the regional and continental level and "micro" to the national level, which is divided into the subnational and local levels. Since the global, regional and continental levels transcend borders, they fall within the international dimension.

31. From this viewpoint, public space can be categorized on the basis of a common denominator: the legal value of property (public, social and private), a factor that makes it possible to identify State responsibility, which is assumed to be the manifestation of the democratic will of the majority.[13]

32. It is understandable that at the macro and meso levels, the participation and responsibility of society with respect to governments is not immediately apparent, since these are complex organizations comprising States and, in some cases, there is a complex network of social structures, international foundations and business consortia working alongside them or dependent on them. As can be seen below, it is only at the micro level that the responsibility of society as a co-participant in governance emerges more clearly.[14]

Taxonomy of public space

33. Here it is useful to recall the relevance of sovereignty and autonomy, which are of paramount importance for the public interest at the three proposed levels, whether for the well-being of the entire world or for that of a region, continent or country. For a better understanding, the following categories of analysis could be proposed to determine the scope and limits of each level:[15] public-public space, public-social space and public-private space.

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[11] Michel Godet, "Strategic Foresight: Problems and Methods".

[12] Urie Bronfenbrenner, *La Ecología del Desarrollo Humano* (The Ecology of Human Development) (Barcelona, Paidós, 1987). Of the seven categories proposed by the author, it is useful to refer to three in characterizing public space: the macrosystem, the mesosystem and the microsystem.

[13] These are the systems of consensus that each country establishes in the quest for governance that gives precedence to the law; otherwise it is impossible to safeguard freedoms and justice.

[14] Governance is understood as "all mechanisms, processes and rules whereby the economic, political and administrative authority of an organization is exercised...". See http://www.igep.org.ar/index.php/gobernanza.

[15] This methodological formulation is the result of personal reflections from teaching and research.

34. Among the levels referred to, public-public space is the one where responsibility lies exclusively with the authorities that have been legitimately established as representatives of the State. Whatever its radius of influence, it is the physical space that is indivisible from the performance of State functions.

(a) At the global or macro level, the most emblematic public-public body is the United Nations and all its components dealing with economic, social, cultural, technological and, indeed, public administration development. There are also international financial mechanisms, such as the World Bank, the International Monetary Fund, and development agencies, such as the Organization for Economic Cooperation and Development.

(b) At the meso level, global institutions have equivalents in continental or intercontinental regions (the Asia-Pacific Economic Cooperation forum, for example). Such institutions have strengthened their economic, cultural and administrative alliances in order to reap more global benefits, which can be translated into well-being for their populations. Clearly, governments and their public administrations are heavily involved in both making and implementing political decisions.

(c) In the case of the American continent, the foremost institutions are the Organization of American States, the Economic Commission for Latin America and the Caribbean and the Inter-American Development Bank; and, in the cultural sphere, the Instituto Cervantes, supported by Spain to defend the Spanish language throughout the Americas.

(d) In North America, two prominent examples are the North American Free Trade Agreement between Canada, the United States and Mexico, and the Consortium for North American Higher Education Collaboration; Central American institutions include the Central American Integration System and the Central American Common Market; and South America has the Common Market of the South and the Union of South American Nations. These three subregions have set up many more intergovernmental mechanisms which, in the interests of economy, could not be mentioned in this brief paper; nonetheless, while there is intensive interaction among governments, at times scant results have been achieved compared with the expectations expressed in their founding documents.

(e) The same pattern is repeated on the other four continents, among which the European Union stands out for its originality, characterized by a complex network of interests, ideas and cultures that reflect the current dialectic, compared with the other continents and within its own context. This does not mean that the other regions of the world, each with their own historical development, have not established appropriate or equally original mechanisms that afford them harmonious and economically functional coexistence.[16]

(f) At the micro level, institutions from the three branches of government are represented at the national, subnational and local levels, where it is theoretically possible to provide citizens and social groups with effective, respectful and friendly access to public services. This is where the best opportunities exist to establish channels of joint responsibility between society and government.

35. Let us now turn to public-social space, where responsibility is shared between government and society for various purposes that benefit the latter. Shared responsibility can take legal form through licences and concessions granted by the

[16] http://www.iccnow.org/?mod=rio&lang=en.

State to social groups or individuals, under conditions that not only safeguard the public property of the State but also ensure that the goals giving rise to such collective benefit agreements are achieved. Similarly, arrangements can be concluded in line with political, economic and social commitments that are democratically agreed by the community and government and which, when properly promoted and protected by the law, foster a civic culture.

(a) At the macro level, the International Olympic Committee is a good example of this model, since it is a non-profit, non-governmental organization but could not survive without the participation of States, as its purpose is to promote peace through sport.[17]

(b) The International Diabetes Federation, which is associated with the Department of Public Information of the United Nations Secretariat and has relations with the World Health Organization and the Pan American Health Organization, consists of individual and collective members. It does not belong to any government, corporation or group, has its own resources and is self-sustaining.[18]

(c) At the meso level is the Latin American Human Rights Association — a non-governmental organization in consultative status with the Economic and Social Council of the United Nations Secretariat and the United Nations Educational, Scientific and Cultural Organization — whose members are renowned intellectuals from the entire continent; mention could also be made of the Latin American and Caribbean Committee of Professional Organizations for Social Work/Social Service. This field clearly includes many prestigious organizations, which invariably seek economic and political support from States in the performance of their tasks.

(d) At the micro level are public universities and schools, which have autonomy over their management but are nevertheless held to account as they depend on public funds. In this case, responsibility lies with their communities, which aim to raise the level of talent in their country through the quality of its graduates and the contribution they make towards development. The same criterion could be applied to freely available cultural and recreation centres, to the maintenance of general communication channels and their assets, among a plethora of examples at the national, subnational and local levels.

36. Public-private space (where private property is used to provide a public service, to participate in the construction of infrastructure or to engage in production in the primary or secondary sectors) involves economic and/or social activities that address collective needs in exchange for a profit. The requirements imposed by the State guarantee the conditions for sanitation, public health, the safety of people and property, and the maintenance of infrastructure. Other precautions safeguard the public services or the quality of production for which this space is intended.

(a) In the case of public-private organizations at the macro level, specific goals are targeted; for example, global sport has Formula 1 or the International Tennis Federation. These are profit-making organizations, although they have a public impact and must therefore adhere to contracts or agreements negotiated with the authorities of each country.

[17] International Olympic Committee. See http://www.olympic.org/content/the-ioc/governance/introductionold.

[18] See http://www.idf.org.

(b) This public-private model is well-known because of the current boom in public-private associations, which are opening up a new dimension in public administration with regard to the shared responsibility between society and government, more so than in other kinds of public-service-oriented private companies.

(c) Financial and business matters dominate the global stage; in a well-designed strategy, the production of capital and consumer goods has shifted to dependent countries, while rich countries focus on the development of cutting-edge technology and the control of financial markets. Advanced countries, on the one hand, focus their domestic markets on services and, on the other, promote those services in the world's big cities (which account for over 60 per cent of the population), as well as domestic and international tourism (15.4 per cent of the global population with purchasing power), in a constant flow that follows a model in which consumerism is given priority as an engine for growth.[19]

(d) At the micro level, notable examples include private education at all levels, private health care in all its forms, condominium or rental housing, public transport, markets and shopping centres, food and beverage outlets, recreation, shows, culture, sports and community life.

37. In addition to these three categories of public space that are particularly identified with physical territories or locations, there exists a space that also belongs to all, made possible by technology, which is commonly called "virtual", through which the ideas that constitute experience and its collective expression are received and disseminated, with freedom, equity and channels for feedback. To guarantee its reliability, this virtual realm should be regulated by law in order to promote and protect the public values mentioned above, in an environment of harmonization of interests and ideas which lead to constructive and democratic coexistence.

38. In the paragraphs below the interweaving of the aforementioned levels and types surrounding public space will be analysed. This will allow difficulties in their administration to be pointed out and the challenges involved in developing institutional capacity to be measured for each of these actors: government, society and individuals.

(a) It can be agreed that the organization of the State in public space should be interlinked with the law, specifically international, constitutional and administrative public law.

(b) It must be accepted that State authority is represented by government, subdivided into the three traditional powers and the three spheres already known within each country, whatever its form of government — unitary, federal, parliamentary, congressional, etc.

(c) The public administration, in its meaning of exclusive responsibility, expresses itself through the regulation of efficient, effective and transparent government functions, which cannot be delegated to other sectors of society (national security, foreign affairs, finance, domestic policy, sustainability policy). This is distinct from joint government administration which is shared with various

[19] Roberto Bermejo Gómez De Segura, *La Gran Transición Hacia la Sostenibilidad: Principios y Estrategias de Economía Sostenible* (The big transition to sustainability: principles and strategies for a sustainable economy) (Madrid, Los Libros de la Catarata, 2005).

actors of organized society in the areas of social development, political and civic culture, rational cooperation, civil protection, solidarity, productivity, maintenance and improvement of public services, infrastructure, sustainability, etc. Supervisory administration, by concession, delegates to individuals the construction and maintenance of infrastructure and promotion of public services (highways, airports, passenger transport) among other tasks of a public nature.

(d) The global (macro), continental or regional (meso) and national (micro) levels communicate and interact intensively and on a daily basis because they must solve problems that affect everyone in various ways in accordance with the sphere or scale of reference, for instance, climate change, security, financial, market and democratic crises, inequality and poverty, which, as part of the system, influence one another.[20]

(e) It follows that the design and implementation of public policies must necessarily encompass the three levels; it must include the whole and the parts in an effort to link interests that involves risks and costs, but at the same time provides political, economic and social compensations (Goal 2 of the 2030 Agenda is a paradigm of this statement).

39. All these aspects intersect in public space and require coordination and communication of unprecedented scale among sectors and on the ground and consequently require the development of institutional, but also inter-institutional, capacity, which obliges the State, probably as never before, to share power.

Achieving global reality

40. It should be stressed that such interaction requires unprecedented levels of government action in the areas of security and regulation. The complexity is so broad and operates at so many levels simultaneously that it produces a lack of coordination between society and government, as well as a diffusion of responsibility; however, these problems can be remedied by going down to the meso and micro levels, where better social control is possible.

41. These circumstances are a global source of concern, to the extent that the General Assembly of the United Nations, at its seventieth session, adopted on 25 September 2015 the resolution establishing the Sustainable Development Goals, to be achieved within the next fifteen years, set out in the 2030 Agenda for Sustainable Development:[21]

Goal 1. End poverty in all its forms everywhere

Goal 2. End hunger, achieve food security and improved nutrition and promote sustainable agriculture

Goal 3. Ensure healthy lives and promote well-being for all at all ages

Goal 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all

[20] For example, migration motivated by violence and lack of opportunity and the obstacles raised by receiving countries, which apply a contradictory policy based on ideological or cultural rejection, in contrast with the need for cheap and non-organized labour.

[21] See General Assembly resolution 70/1.

Goal 5. Achieve gender equality and empower all women and girls

Goal 6. Ensure availability and sustainable management of water and sanitation for all

Goal 7. Ensure access to affordable, reliable, sustainable and modern energy for all

Goal 8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all

Goal 9. Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation

Goal 10. Reduce inequality within and among countries

Goal 11. Make cities and human settlements inclusive, safe, resilient and sustainable

Goal 12. Ensure sustainable consumption and production patterns

Goal 13. Take urgent action to combat climate change and its impacts

Goal 14. Conserve and sustainably use the oceans, seas and marine resources for sustainable development

Goal 15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss

Goal 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

Goal 17. Strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development

42. These ideals should be viewed holistically since all the goals expressed are priorities; all present the same degree of importance or urgency because they are interconnected. This means that, whatever the cause, there will be positive or negative impacts depending on whether or not they are addressed as a responsibility in each of the types of public space (public-public, public-social, public-private) and at each level — macro, meso and micro — in accordance with the conditions in each country.

43. Clearly, the 17 goals involve all governments and societies and, therefore, their public administrations.

IV. Institutional capacity

44. For the purposes of this paper, two of the goals call attention to the task of analysing institutional capacity. The understanding is that the greatest and best capacity that a State can display is the rule of law, which assumes a civic education and culture that bring together attitudes and practices of social cohesion for the achievement of any common purpose:

(a) Goal 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels;

(b) Goal 17. Strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development.

45. The reference to "building effective, accountable and inclusive institutions" and "strengthening the means of implementation" leads directly to reflections on the institutional capacity that each State possesses; therefore, States should face their realities with objectivity, given that not all countries are at the same level of development. Indicators, while they refer to statistics, do not go into depth on history and socioeconomic, political and cultural conditions, so that presenting homogenized solutions has historically proven to be bad advice.[22] Consequently, each space should generate specific possible solutions that can be channelled towards the achievement of these major goals.

46. The two words making up the concept "institutional capacity" lead to the image, on the one hand, of a congruent set of knowledge, skills and experience ("expertise") ordered in such a way as to lead to the achievement of various targets, which in turn fulfil previously established purposes; on the other hand, the word "institutional" introduces the idea of an organizational structure that guarantees that such knowledge effectively leads to a goal, without unnecessary delays or deviations. Both are familiar in bureaucratic models geared to interests that are far from the public interest.

47. In order to avoid these deviations, technology is available to public administrations to follow up and evaluate plans, programmes, budgets and results, but, more importantly, to raise awareness among leaders in the public, social and private spheres that the world has before it an opportunity to change course and right the ship to establish a foundation for sustainable development.

Choosing systematization in order to unite the will in a common purpose

48. A systematic focus and institutional capacity are joined; they foster systematization in seeking various solutions to multiple problems of the State.[23] Naturally, when speaking of sustainable development, diversity, multiplicity, simultaneity and multiculturalism present themselves in any of the projected scenarios, which leads to the question, how to square the circle?[24]

[22] The initiatives of the United Nations and global financial institutions have faced obstacles to standardization: "recipes" do not apply, or a country is not ready or equipped to adopt or adapt them. However, among the efforts of recent years, the Millennium Development Goals stand out, as they achieved results ranging from spectacular to modest. Similar results are hoped for from the Sustainable Development Goals, but now the world is better prepared because of its previous experience.

[23] Oscar Oszlak and Edgardo Orellana, *El Análisis de la Capacidad Institucional: Aplicación de la Metodología* (Analysis of institutional capacity: application of methodology) (Buenos Aires, SADCI, 1993).

[24] John Robinson, "Squaring the circle? Some thoughts on the idea of sustainable development", *Ecological Economics*, vol. 48, No. 4, pp. 369-384.

49. This can be achieved only with good organization in a dual sense: first as a concept of strategy to combine efforts from various sources of power and decision-making — intergovernmental, inter-institutional, intra-institutional, sectoral and intersectoral; and secondly as a hierarchical structure, both functional and operational, of the corresponding tasks, where communication and coordination prevail in joint action.[25]

Rationality within institutions

50. Herbert Simon and James March referred decades ago to rationality as reflected in organizational charts, but they went beyond simply considering the design of the structure to examine, first and foremost, the thinking behind the organization. Answering basic questions (Why? How? When? Where? How much? Who?) requires rationalization, and this means that difficult decisions have to be made, including about leadership and management.[26]

51. Administrative behaviour, which is born of organizational theory, allows the principle of decision-making to be applied to the social system. Translated into public administration terms, this principle presupposes that a variety of options are available for institutional development in the broadest sense of the term, that is, at the micro level: local government or a community within it. In this case, the option that will best meet the need is relatively clear. Decision-making becomes more complicated at the regional and/or continental (meso) levels. At the global (macro) level, there is an abundance of options and it will therefore be necessary to "square the circle" in order to determine priorities.

52. It is interesting to see how the systemic approach, organizational theory and institutional capacity come into play and how they can be shaped in order to achieve the sustainability goals that the world has set itself at the highest level. All actors face the challenge of developing the capacity to govern[27] complex systems.

53. This capacity is not limited to having control over one or more concurrent situations; it also involves collecting and analysing information and developing convincing arguments to put to those responsible for working towards the common purpose, which is to go through successive stages of development together until the previously determined objectives have been achieved.[28]

54. This capacity to govern comprises two elements related to the professionalization of the administration of public space. The first is social organization which, if it is not institutionalized, can be effective for a time but is not sustainable, and the second is the professionals who participate in the process by making or implementing decisions. The two elements must ultimately combine in

[25] The preparations for the Normandy landings, which made possible the liberation of Paris (Second World War), are an example of strategy and teamwork. This event gave political, economic, social and administrative meaning to the "Roadmap" technique.

[26] Herbert Simon and James March, *Organizations*.

[27] Yeheskel Dror, *La Capacidad de Gobernar* (The capacity to govern) (Mexico City, Fondo de Cultura Económica, 1996).

[28] Giandomenico Majone, *Evidencia, argumentación y persuasión en la formulación de políticas* (Evidence, arguments and persuasion in policy formulation) (Mexico City, Fondo de Cultura Económica, Colegio Nacional de Ciencias Políticas y Administración Pública, 1997).

order to ensure the fulfilment of the expectations set out in the two goals of the 2030 Agenda referred to above, which are notable for their focus on public service.

Professionalization from a shared perspective

55. Given that responsibility for public space is shared, the professionalization of its management concerns not only the various levels and functions of government but also organized society in its various forms and, in particular, citizens. It is therefore essential to emphasize the importance of the common commitment to coexist in a peaceful and inclusive manner, with the support of the authority that protects everything and everyone.

56. As stated earlier, professionalization is dependent upon an appropriate institutional set-up, which requires a legal status encompassing the scope and limits of the institution; manuals on organization, procedures, policies and regulations concerning the conduct of institutions and individuals working in and for the public service; and transparency, accountability, evaluation and monitoring.

57. With regard to staffing, recruitment and selection should be based on a commitment to service, and induction and continuous learning programmes should be provided, along with sustainability awareness as part of comprehensive ethics training. It is not "just another job" (public, private or social) but rather a conscious cultural shift in cooperation for the purpose of sustainability; it is not, therefore, a budgeted public position that can be retained with a conservative, limited effort allowing the individual to remain in his or her comfort zone.

58. While the shared responsibility for managing public space requires the three sectors to work together, only the one that is in authority will be paid from public resources; the other participants will be involved in an individual capacity. The latter may in some cases expect payment not necessarily from the public purse but from funds set aside for a specific project (whether profit-making or not), which will be used to maintain, expand and/or improve the project. This will entail a certain amount of compensation.

59. An example of this type of State-regulated project is the protection of nature reserves or archaeological sites. In such cases, clear rules are established with the communities in the region, local staff are employed, tourism infrastructure is built with local materials, training/instruction is provided for the population and tourists, and the sustainability of public space is ensured through shared and regulated responsibility.[29]

From commitments to concrete results

60. The fifteen-year time frame for the achievement of the Sustainable Development Goals seems short, and indeed it is, given the magnitude and diversity of the issues that the goals seek to address and the enormous obstacles that will have to be overcome. John Maynard Keynes' dictum that "in the long run, we are all

[29] International Union for Conservation of Nature. See https://www.iucn.org/about/union/members.

dead"[30] makes sense in light of the urgency of each and every one of those problems in the current context of deteriorating physical and social conditions around the world.

61. Therefore, to respond to the call from the United Nations, governments and societies will have to begin intensive work immediately. Those efforts must be based on the setting of priorities, according to what is urgent, necessary, desirable and achievable, in line with the specific circumstances of each country. Societies must determine which of the 17 Sustainable Development Goals will drive the achievement of the other goals, with a view to attaining the overall objective of a better quality of life.

Integrative communication intelligence

62. An essential task of the public administration is to call on different actors in order to establish a basis of participation and consensus for the achievement of the sustainability goals.

63. There is a need to raise awareness within the community through ongoing campaigns focusing on specific issues. These campaigns should identify the way forward, the tasks of each actor, means of capturing opinions and ways to administer surveys.

64. Once these bases have been established, integrative communication intelligence must be used to organize diverse groups from a variety of spheres and levels and to ensure productive coordination between them in order to identify a series of tasks that can be organized into a logical sequence of activities, for example:

(a) Creation and design of strategic, integrated public policies by three actors (government, organized society and citizens), which themselves comprise numerous institutions

(i) The three branches of government must serve a single purpose: overcoming obstacles such as those that occur in so-called divided governments.[31] This can be achieved on the basis of shared administrative methods and techniques that can be applied broadly, which various governments can use without compromising their views.

(ii) Beyond these political and partisan considerations, only intra- and inter-institutional coordination will enable all actors to work together to achieve the agreed goals.

[30] This phrase means that decisions should be made and implemented quickly, as establishing long time frames for addressing problems leads to procrastination.

[31] Where the branches are governed by different political parties, as frequently occurs in presidential systems, although municipal governments in unitary States also tend to reflect a plurality of political affiliations. Similarly, spheres of power are normally shared in two-party systems.

(iii) The intelligence that a government must exercise includes convincing multiple social actors with different objectives, visions, ideologies, prejudices and even grievances.[32]

(iv) Strategic planning: once priorities have been identified, preparations must be made for systemic change. Places and people must be chosen. Commitments must be clearly expressed and work on the ground must begin by using partnership as a social movement, which must involve long-term alliances. For example, which government entities, and at what level (local, subnational, national or international), should be involved, and alongside which companies, non-governmental organizations, public-social associations, public-private associations, foundations and cooperation organizations of all kinds, financial institutions, etc.?

(b) Policy implementation

(i) The implementation of the various plans and programmes requires knowledge and skills in the area of sustainability and a conviction on the part of the public administration that it not only can, but must, lead the effort.

(ii) This major socioeconomic and political effort must involve extensive use of information and communications technology. It is vital to develop interoperability to ensure that systems can understand one another, given the high level of competition between software and hardware producers that seek to offer the best equipment, programs and applications but in languages exclusive to their brand. When making decisions on updating software, developers strive for innovation as an essential requirement but do not give sufficient consideration to the real needs of users and which of the existing elements should be retained in order to facilitate the life of institutions.

(iii) The evaluation of public policy should follow new approaches, in particular a move from rigidity to flexibility. This means that policy implementation cannot be confined to a single path; rather, various scenarios and alternative courses of action should be envisaged, in line with the complexities of the current situation. It should be borne in mind that desired outcomes can be stratified to take into account the conditions and circumstances of the decision-making process and what is actually feasible given the realities of the situation, so that what is achieved may be satisfactory, if not optimal. This helps to prevent indifference, negligence and sheer irresponsibility.

(iv) By means of constant evaluation throughout the successive stages of the process, it is possible to identify successes and errors, make appropriate corrections, confirm progress and record and systematize experience for use in future projects. Without effective evaluation, there is a risk of operating outside of the sustainability criteria.

[32] Even the need to control climate change has an impact on interests related to socioeconomic differences, privileges and resistance to change. For example, despite the environmental disaster in Beijing in December 2015, at almost exactly the same time China, India, Brazil and South Africa were refusing to be considered equal with certain other countries for carbon emissions purposes. Fortunately, following intense negotiations, the 196 countries participating in the Conference of the Parties to the United Nations Framework Convention on Climate Change in Paris endorsed the first global agreement on global warming.

Key principles to be observed by society and government institutions in order to achieve sustainability

(a) Openness

(i) This principle is primarily a political issue as it is the responsibility of democratic governments to set an example by demonstrating transparency, accountability and responsible social communication. However, governments cannot do this without society and citizens adopting the same attitude, since "open government" as it is called is very difficult to achieve if society is not open. Moreover, open government calls for the responsible management of information, which involves making such information available to citizens and organized society.

(b) Decision-making and shared responsibility for managing public space

(i) Consultation exercises: these must be organized with tripartite participation through representatives of local and subnational government, as well as national government, where appropriate, depending on the magnitude of the project; representatives of relevant sections of organized society according to the nature and purpose of the project; and citizen representatives, as appropriate, depending on how the space will be used on a daily basis.

(ii) Establish prior agreements concerning the type of consultation (open, selective, joint), who will be consulted, procedures and tools.

(iii) Disseminate information on the joint management of the public space concerned using appropriate means in line with the end purpose.

(iv) Define the resources and activities for the sustainability of the project, including security.

(v) Determine the responsibilities for the project and assign them among the three actors.

(vi) Set the rules for access to and use of the space by those actors and others.

(vii) Once these and other aspects have been defined, decisions are taken to exercise authority and ensure that the space can be used freely, taking into account the rights of third parties.

(c) Definition of a protocol on shared responsibilities

(d) Give public space that is subject to shared public-social responsibility legal status and personality under the relevant public law

(e) Humanize technology: the redistribution of responsibilities in public space inevitably requires public administrations to modernize in order to harness the collective effort to respond appropriately to the demands of society and be able to qualify its institutional performance and thereby cultivate respect and a collaborative attitude among institutions and citizens.

65. In this context, information and communications technologies provide a unique opportunity to innovate and radically transform institutional spaces and social relations for the better. As already emphasized, the availability of technological resources enhances the capacity to understand phenomena, their causes and ways to manage them. The use of these technologies facilitates

continuous improvement, the design of processes, decision-making and the implementation of actions to enhance the capacity to bring together individual, collective and institutional goals.

66. Although technological advancements have without a doubt strengthened institutional capacities, responsibility for implementation ultimately lies with human beings; as a result, it is essential to find ways to use technological connectivity but with a humanist approach, which means valuing the individual while enriching the community. In short, it is about giving priority to people over things, and ensuring that society is given its rightful place without nullifying the individual as the origin and ultimate aim of the collective endeavour.

V. A corollary

67. The principles that apply to the exercise of public authority by society, as developed by theory specialists, academics and civil servants, also apply to the management of public space, both in terms of the expanded administrative process and policies relating to transparency and accountability, impartiality, fairness, efficiency and effectiveness and, above all, continuous evaluation.

68. This leads to questions such as what the macro, meso and micro justice systems are, whether justice is effective and expeditious, and whether there is legal certainty in the protection of rights and freedoms. If the answers to these questions fail to meet the expectations of the majority of the population it would be difficult to manage public space in such a way as to encourage stability and certainty.

69. For all three levels described above, one of the most serious issues for the current political and administrative system is corruption, which is closely linked to fraud and impunity, which are actually at the root of this scourge.

70. Clearly, the punishments and penalties provided for by law apply if the law is violated; this is a safeguard against impunity. However, fraud is exacerbated when malicious personal or private interests, or even complicity with public servants, are being defended, whereas it occurs less frequently when the public interest is respected.

71. The general order of public space would be enriched with constitutional, legislative and regulatory changes designed to facilitate a transition from the current situation, which is in many cases outdated, towards a new reality that involves comprehensive and continuous improvements in living conditions and quality of life. Parliaments and congresses serve as stabilizers, but they are also the custodians of the future in the present. In the current context that responsibility is unavoidable and decisive.

72. As explained earlier, the public interest prevails in the management of public space; this is perceived immediately and leads to thriving proportionate tax systems, which in turn foster the creation of a special civic capacity among the population and attract investment and jobs; this then leads to security, certainty and confidence in institutions.

73. The changes mentioned result in a new view of individual and community life. If we take up the invitation to make the type of changes reflected in the 17 Sustainable Development Goals, it is merely a question of altering production and

consumption habits and therefore the economy, labour and social organization. Clearly, it would be necessary to make changes of substance and form when meeting new needs and demands, and the public administration would need to support a new form of comprehensive development, which would not work unless society and citizens were included.

74. The goals of the 2030 Agenda for Sustainable Development[21] promote reflection:

(a) Promote, finance and provide training for activities that encourage the production and consumption of organic food: is this not a transition that would require the participation of government and the public administration? Would it not be a public-public, public-social and public-private space?

(b) Promote and finance organizations that are jointly responsible for health and sanitation: does this not concern another transition, or the same one, which focuses on housing, schools, hospitals, collective centres for work, recreation and culture, road infrastructure and order in the mobility of things and people?

(c) Promote, finance and maintain the main and intermediary infrastructure to connect major cities to towns, semi-urban and rural communities, using regional labour and materials in accordance with the project requirements: does this not entail another transition which calls for further regulation and participation between government and society?

(d) Promote alternative energies that harness the power of nature: does this not require a paradigm shift that entails promoting alternative modes of transport such as bicycles, pedicabs and electric cars?

(e) Improve connectivity between housing and workplaces, educational institutions and other services: this involves promoting and developing inter-city and suburban trains, both elevated and at ground level. Does this not require unprecedented organization of society and government?

75. There are numerous other examples, but the first step is to promote a new global, intermediate and local culture: the culture of sustainability.

76. The public administration has much work to do. As a dynamic agent of government action, it shares responsibility for a peaceful, productive transformation, starting with itself. From there, it needs to expand its horizons and achieve better results that are measurable and can be demanded by organized society and citizens.

77. The issue addressed in this paper could be analysed further and, in fact, it has been already. Numerous studies and research papers on the current global situation have emphasized the increasingly urgent need to take the helm as we navigate these stormy seas and do what needs to be done.

78. Before more years pass, we need to put into practice a new global, intermediate and local culture: the culture of sustainability focused on events rather than on words of warning. We need to take action to address this grave responsibility.

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Moving from commitments to results: transforming public institutions to facilitate inclusive policy formulation and integration in the implementation and monitoring of the sustainable development goals: ensuring effective and innovative implementation, monitoring and impact evaluation of the policies identified in support of the Sustainable Development Goals

Oversight institutions, mechanisms and standards of government administration

Note by the Secretariat

The present paper, prepared by Committee member Palouki Massina, is hereby transmitted in accordance with the provisional annotated agenda for the fifteenth session of the Committee of Experts on Public Administration (E/C.16/2016/1). The content of and the views expressed in the paper are those of the author and do not imply the expression of any opinion whatsoever on the part of the United Nations.

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Oversight institutions, mechanisms and standards of government administration

[Original: English]

Summary

The present paper explores issues in the oversight of government administration with a focus on public institutions and control mechanisms, as well as the role of semi-public and private institutions. It highlights areas where improvements could enable further progress towards sustainable development, in particular in Africa and the least developed countries.

The author notes that expectations of public administration have evolved in the past 10 years, especially in Africa, as a result of the combined effects of globalization and commitments undertaken by States in connection with the Millennium Development Goals. Those expectations, linked to questions of efficiency and effectiveness in public service delivery, have been accompanied by renewed concerns about adherence to policies and standards designed to serve the public interest.

The author observes that the administration is overseen by various institutions and mechanisms in the implementation of public policy, and recalls in this regard the importance of an effective and accountable parliament. However, in order to support the administration in the realization of common objectives and ensure that it continues to pursue agreed priorities, the oversight function of parliaments in many countries needs to be strengthened by, inter alia, promoting a culture of oversight among parliamentarians. Ongoing capacity-building may be necessary to ensure that public officials have the competencies needed to carry out their oversight responsibilities effectively.

Judicial independence is also seen as essential to effective oversight. Steps need to be taken to safeguard judicial systems from political, economic and other influences, and ensure impartiality. This may also call for a change in mindset among judicial officials. Anti-corruption agencies, human rights commissions, a strong and well-organized civil society, and independent media are among other key ingredients. The author concludes that the expansion and professionalization of oversight institutions and mechanisms, in particular parliamentary, judicial and civil society entities, will be essential to ensuring that no one is left behind in the implementation of the Sustainable Development Goals.

[Original: French]

I. Oversight institutions, mechanisms and standards of government administration

1. The conception of public administration, its mission and operations, especially in Africa, has changed significantly over the past 10 years or more, through the effects of globalization combined with commitments made by States under the Millennium Development Goals. This change, led by the desire to improve the services that public administrations provide to the people, has been accompanied by a renewed concern about the need to monitor the public policies defined and standards developed, as an indicator of efficiency in the provision of public services and achievement of the development goals as defined.

2. The expression "public administration" has several senses: it is defined as "the structure established by the public authorities to manage public affairs"[1] or again as the "group of activities aimed at maintaining public order and meeting other needs of general interest".[2] The term sometimes means the public service structures established: the ministries and other institutions responsible for providing public administrative services (for example the civil registry office); sometimes it means the staff of those services (the personnel). Here the second sense, the group of personnel hired to offer public services to the people, will be addressed.

3. The administration is the instrument for implementing public policy, the main tool for providing public services. It is governed by standards defined by the legislature and the regulatory authorities with the purpose of reaching defined objectives. The purpose of these standards is to meet the needs of the people for public services. It is therefore essential for the administration to observe them; this is an imperative for the success of public policies.

4. To ensure respect for these standards, the public authorities put in place institutions, mechanisms and standards for oversight of administrative activities. Oversight consists in comparing what is done (an action or a decision) with a predefined rule or procedure. The goal is to evaluate what was done compared with objectives established in advance based on precise indicators, in order to evaluate performance and make corrections as needed in order to achieve the established goals.

5. Every State in the world has institutions and mechanisms for this purpose. These institutions and mechanisms, among African administrations in particular, have undergone changes as an effect of international development policies generally agreed within the United Nations in the context of the Millennium Development Goals. They will probably continue to evolve as a result of the Sustainable Development Goals.

6. They can be divided into three categories: mechanisms and institutions that are entirely under public authority; mixed mechanisms and institutions which combine public authorities with partners from the private sector, civil society and the people;

[1] Charles Debbasch and Frederic Colin, *Droit administratif*, 11th edition (Paris, Economica, 2014), p. 5.

[2] Ibid., p. 6.

and those that are only private (private sector, civil society, non-governmental organizations, associations, media).

7. This paper is in three parts: the first will be devoted to public mechanisms and institutions for oversight of the administration; the second to semi-public and private mechanisms and institutions; the third will describe improvements to be made to existing mechanisms to meet the Sustainable Development Goals.

8. The discussion will focus on the example of public administration in the States of Africa, the majority of which are among the least developed countries.[3]

II. Public institutions and mechanisms for public administration

9. The mission of the State — and the public authorities — is to ensure the well-being of the people by meeting their collective needs. Public services created for this purpose (material goods and personnel) are financed essentially through taxes levied on the people. Good governance demands rigorous oversight of the management of public services. For some time the only oversight bodies for public activity were public in origin, in order to exercise political oversight (parliament) and jurisdictional oversight (constitutional and administrative jurisdictions, especially).

A. Political oversight

10. Political oversight is the result of the principle of consent to taxation established in 1215.[4] Under this principle, taxpayers alone have competence to authorize the establishment and collection of taxes by public authorities. Oversight authority was imposed as a natural consequence of that power of authorization. It is exercised by the representatives of the sovereign people.

1. Budgetary oversight

11. For a long time, parliamentary oversight over government actions was exercised only when voting on the budget act.

12. Aside from countries like the United States of America, which has a system of strict separation of powers granting full authority to Congress in budgetary matters, parliamentary oversight was limited, in particular in the francophone countries of Africa.

13. Following the 2001 organic law in France relating to financial acts, the organic laws of francophone African States gave more oversight authority in budgetary matters to their parliaments. On the one hand they require the Government to transmit to parliament quarterly reports on budget execution and the implementation of the budget acts; these reports, which are transmitted for information purposes, are made available to the public. Parliament can conduct investigations on the spot. In

[3] A minority can be found on World Bank fragile situations list (in conflict or emerging from conflict).

[4] By the Magna Carta.

addition, the finance commissions have the authority to supervise the proper implementation of the budget acts[5] as they go along.

14. Besides budgetary oversight, parliament has other means of exerting pressure in order to ensure that government action is in accordance with the general interest, by means of reporting and through parliamentary inquiries.

2. Reporting and parliamentary inquiries

15. Parliament has the authority to ask the government to explain its policy on various matters (for example, the conditions for providing such public services as water or electricity, or how it sets fuel prices), whether or not the activity concerned is directly managed by an agency of the administration or by a public establishment or company. For that purpose, there is a procedure for posing written or oral questions, with or without debate, and updates and commissions of inquiry. Parliamentary commissions can also gather information on how a law is being implemented through fact-finding missions.

16. Written or oral questions represent the means whereby parliamentarians gather information, which has an impact on their powers of oversight. When they are better informed, the members of parliament are in a better position to exercise their authority over the administration because, through the questions requiring the ministers to respond to specific requests, parliamentarians can improve their knowledge of the issues under debate. Unfortunately, the questioning does not lead to a vote, nor do briefings, updates and inquiries.

17. That cannot be said for the ability of parliament to establish commissions of inquiry allowing it to investigate and gather more complete information on certain actions, which lead to conclusions to be put into practice. Commissions of inquiry represent useful investigative mechanisms for oversight over government actions. But, in contrast to Western States, which use them from time to time, it is the rare parliament in Africa that sets up such commissions, despite the recurring accusations (misappropriation of public funds, political assassinations) levelled at their governments. On the rare occasions that such commissions have been created, either their inquiries were inconclusive, or their conclusions have not been made public.

18. Furthermore, the permanent commissions in the assemblies have competence to hold hearings of members of the government and other public officials in their specialty, in order to receive information on government policy and management of public services and companies. The hearings, like the fact-finding missions, issue informational reports that are distributed to members of parliament.

19. Thus in principle the parliament has the means to ensure that administration and provision of public services is moving in the direction of the objectives defined by public policy. The use of those tools in the public interest, though weak at the moment, should be strengthened under the sustainable development goals.

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[5] See article 74 of the [Togolese] organic law on budgets No. 2014-013 of 27 June 2014. This provision is common to all the member States of the West African Economic and Monetary Union (WAEMU).

B. Jurisdictional oversight

20. Jurisdictional oversight has to do with management of public finances, conformity of laws with the constitution and legality of administrative actions. The first is exercised by the audit court, the second by the constitutional court, and the third by administrative courts.

21. The establishment of an audit court contributes to the oversight of government actions. Its oversight is intended to ensure that public funds, most of which come from levies taken from taxpayers, are managed effectively in accordance with the authority granted by parliament. Among the member States of the West African Economic and Monetary Union (WAEMU) in particular, the establishment of audit courts began in the early 2000s.

22. The audit court oversees the work of public accountants as well as the controllers[6] and administrators of credits. This oversight includes all public entities, companies and establishments, social security institutions and public or semi-public agencies.

23. The audit court performs its review after the execution of the budget, and thus does not manage to correct irregularities during execution; rather it draws attention to irregularities which have occurred and which must be remedied in the future. Respect for the recommendations of the court by the public authorities depends, however, on their good will; the authority can decide whether or not to undertake the suggested reforms.

24. The audit court provides support, furthermore, to parliament and the government in monitoring budget execution by making public all requested studies of public finance and accounting. These studies help to improve oversight indirectly.

25. Oversight exercised by other jurisdictions, namely the constitutional and administrative jurisdictions, has a different purpose. Constitutional jurisdictions[7] have in fact existed in all African countries since the start of the democratic era of the 1990s, and are the bedrock of the new constitutional order. Their role is to ensure that laws[8] adopted by parliament comply with the Constitution. The conformity of legislation with the Constitution presupposes compatibility with the public interest, and thus with the goal set by the Government and accepted by representatives of the people.

26. The role of administrative jurisdictions is to determine the legality of administrative acts and liability proceedings against the administration. Respect for legality is a fundamental component of the rule of law — one of the principles of the Sustainable Development Goals. In the case of most African jurisdictions, procedures are excessively time-consuming and decisions pronouncing administrative acts to be illegal are rare. This can be explained by the fact that most African administrative jurisdictions were established comparatively recently.

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[6] The controller is the individual who, at the head of an office or group of offices, has the authority to authorize payments by the State or to record a credit to its accounts.

[7] Referred to as the constitutional court in some countries, or as the constitutional council or constitutional tribunal in others.

[8] We have set aside the role of auxiliary and electoral judge of the constitutional judge, which is not pertinent to the subject under consideration.

27. The judicial system of French-speaking African States, in which courts have jurisdiction over acts of a private nature by the administration and over almost all acts of public companies and establishments responsible for managing industrial or commercial public services, supplements a series of administration oversight mechanisms understood in a broad sense.[9]

28. Beyond the oversight exercised by parliaments and jurisdictions, there are other administrative monitoring mechanisms and institutions. Some are joint, in the sense that their composition includes persons representing the State, in the exercise of its public authority, as well as private persons or institutions. Others are exclusively the domain of private individuals.

III. Oversight exercised by semi-public and private institutions

29. The institutions or mechanisms concerned are most often, but not always, the product of the requirements of international development law laid down by international agreements and conventions over the past two decades,[10] which in the interests of transparency recommend increasingly inclusive policies and the involvement of all segments of the population in decision-making at national and local levels.

A. Joint administration oversight mechanisms and institutions

30. Among the bodies and mechanisms reviewed under this heading, some deal with economic or political matters in general while others cover a particular aspect of administrative activity, human rights, for example.

1. Economic oversight mechanisms

31. In order to achieve the Millennium Development Goals, African countries adopted medium-term poverty reduction strategies[11] during the 2000s scheduling the various activities to be conducted and the goals and targets to be reached. These strategies establish an inclusive monitoring and evaluation mechanism, referred to as the institutional mechanism for coordinating, monitoring and evaluating development policies.[12]

32. The functions performed by this mechanism include: (a) accelerating compliance with the principles of sustainable development and mainstreaming cross-cutting issues into development programmes and policies; (b) coordinating sectoral policy monitoring and evaluation with the Poverty Reduction Strategy Paper; and (c) enhancing the involvement of other actors from parliament, the private sector, civil society, local communities and research institutions in the implementation of development and poverty reduction policies.

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[9] Debbasch and Colin, *Droit administratif* (see p. 260, p. 267 and p. 288 et seq.).

[10] For example, the 2001 agreement on the Millennium Development Goals (resolution 55/2) or the 2030 Agenda for Sustainable Development adopted by the General Assembly on 25 September 2015 (resolution 70/1).

[11] Poverty Reduction Strategy Papers, see www.imf.org/external/np/exr/facts/fre/prspf.htm.

[12] See Decree No. 2010-170/PR of 13 December 2010 [Togo], establishing the institutional mechanism for coordinating, monitoring and evaluating development policies.

33. The mechanism is headed by the National Council for Steering Development Policies, a participatory oversight body which carries out monitoring through annual reports submitted to it by sectoral committees, which considers annual results reports on implementation of the Poverty Reduction Strategy Paper and which requests such modifications and adjustments as is deems necessary.

34. In additional to representatives of the administration, the mechanism includes members from various backgrounds: parliament, the Economic and Social Council, the Central Bank of West African States, research institutions, donors, the private sector, trade union organizations, organizations for women and youth, civil society and religious groups. The mechanism, whose composition responds to the recommendations of international development instruments, was extended in the context of the Strategy for Accelerated Growth and Employment Promotion that has replaced the mechanism since 2013, for a five-year period. The monitoring and evaluation carried out by this inclusive body improves the coordination of planned activities in order to better meet public policy goals.

35. Anti-corruption mechanisms, including in procurement contracts, help to improve control over administration in the public interest.

36. The fight against corruption can be seen, first and foremost, in the provisions defining and punishing corruption that are added to the criminal code of each country. Sentence severity and the opportunity for disclosure by anyone, whether a victim or simply an observer, indicate the importance that is intended to be given to the principle of good governance.

37. The adoption by States members of the West African Economic and Monetary Union of common provisions on the public procurement code also reflects this concern. Pursuant to the common provisions,[13] States have established public procurement regulatory authorities[14] responsible for ensuring that actors comply with the regulations. These authorities include a disciplinary structure which, after an adversarial procedure, orders penalties against bidders who have infringed the regulations applicable to procurement contracts; and a dispute resolution committee for stakeholders.[15] Functions of the regulatory authority include training potential stakeholders and the public to understand and master the rules on procurement contracts, so as to better monitor their application and compliance, owing to the opportunities for complaints that are open to them.

38. The tripartite structure of the authority[16] is an asset for compliance with the rules: it is composed of representatives of the administration, the private sector and civil society.[17] Decisions taken by these authorities to date indicate a sense of respect for the rule of law that is likely to discipline those who might be tempted to

[13] Directive No. 04/2005/CM/UEMOA of 9 December 2005 establishing procedures for the award, implementation and payment of public contracts and public service delegations within the West African Economic and Monetary Union.

[14] Directive No. 05/2005/CM/UEMOA of 9 December 2005 for the control and regulation of public contracts and public service delegations within the West African Economic and Monetary Union.

[15] In the case of Togo, see Decree No. 2009-296/PR of 30 December 2009 describing the mission, powers, organization and functioning of the public procurement regulatory authority.

[16] Article 8 (2) of Act No. 2009-013 of 14 January 2009 on public contracts and public service delegations (in Togo).

[17] Article 12 of Decree No. 2009-277/PR of 11 November 2009 on the public procurement code and public service delegations.

allow themselves to be corrupted and to serve vested interests against the public interest.

39. Mention could likewise be made of those countries that have set up anti-corruption hotlines in sensitive areas such as customs, so that anyone aware of an act of corruption can alert a specialist service.

40. The adoption of national anti-corruption laws establishing anti-corruption commissions and the opportunity for disclosure afforded to citizens complement the controls exercised over the administration, with a view to meeting public policy objectives.

41. Beyond these mechanisms covering the entire economic sector, there are oversight institutions whose scope is limited to a specific aspect of social life.

2. Specialized oversight institutions

42. Specialized joint institutions overseeing action by the administration in a particular sector are not commonplace in Africa, even rare. Nevertheless, reference could be made to national human rights commissions and similar bodies.

43. Almost all African countries have a national human rights commission or mechanism in lieu thereof.

44. In the case of Togo, the National Human Rights Commission,[18] whose mission is to ensure that action by the administration does not infringe an individual's freedom or dignity, i.e. human rights, follows principles upheld under international development commitments. The Sustainable Development Goals, like the Millennium Development Goals, underscore that respect for human rights and non-discrimination are conditions for achieving a world without hunger or all types of inequality.

45. The National Human Rights Commission has three core competencies, two of which involve overseeing Government action: (a) promoting human rights; (b) investigating complaints of human rights violations and proposing solutions; and (c) if necessary, referring crimes or offences to the Togolese prosecutor. When the Commission receives complaints from the people of violations of their human rights, these powers allow it to conduct investigations, demand explanations from the official or administrative authority cited in the complaint, and propose solutions to bring an end to the violations or remedy the injustice committed. When the acts that are the subject of the complaint constitute criminal offenses, the Commission can inform the Prosecutor.

46. National human rights commissions in Africa have created an African network of committees which allows them to discuss relevant experience and good practices. Their work helps to "humanize" Government intervention and development.

47. The composition of national human rights commissions satisfies a concern for integration: they generally include representatives of the private sector, civil society and associations for the defence of human rights. They also have members from the public sector, albeit fewer in number.

48. Also based on the thinking behind the establishment of national human rights commissions, African countries have put in place mechanisms to protect and defend

[18] For Togo, see Organic Law No. 2005-004 of 9 February 2005.

specific rights, such as means of reporting violations of children's and women's rights (hotlines and specialized Government services). Services to assist persons with disabilities found in some European countries are still lacking in Africa.

49. In addition to the joint monitoring mechanisms discussed above, there are others that are entirely private.

B. Private institutions overseeing action by the administration

50. These institutions include non-governmental organizations and associations as well as the media. The African private sector[19] and civil society[20] seem to take a greater interest in politics than in problems related to the defence of the principles for harmonious and equitable development.

1. Non-governmental organizations and associations

51. The non-governmental organizations most heavily involved in overseeing administrative action are international organizations, some of which have country branches responsible for governance[21] oversight. Transparency International regularly alerts international public opinion to cases of mismanagement, in particular those concerning public finances, identified in States of the South, while Amnesty International and Human Rights Watch, which specialize in oversight and human rights advocacy, use information collected by their local branches to publish periodic reports that are closely followed by the authorities. These organizations sometimes instigate denunciation campaigns against States.

52. National associations, some of which describe themselves as non-governmental organizations, are similarly involved in denouncing States. Consumer associations are one example. While currently they are poorly organized and lack the influence one might expect of such entities, their criticism of the prices of basic necessities and fuel strikes a certain chord among the people, meaning that administrations at times feel obliged to negotiate with them before implementing further price increases. However, such organizations have few members and, consequently, suffer from a lack of capacity for action.

53. Other associations have even fewer members but greater awareness-raising power because their work involves human rights. This is the case with associations combating torture, for instance, whose access to the Human Rights Committee and the sympathetic ear they receive in that forum enable them to use denunciations and street protests to influence action by the authorities that could undermine human rights. The private media have the same role.

2. The private media

54. The media as a whole serve as a watchdog for democracy and civil liberties. The role of the African media will have to be strengthened and hopefully improved if they want to help African countries achieve sustainable development.

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[19] Understood to mean the entire non-State economic sector.

[20] Refers to the private portion of the economic sector (the liberal professions, non-governmental organizations and associations).

[21] All of the standards, rights and obligations of the various governing institutions.

55. The media, in particular private media, can contribute to the improvement of economic, social, environmental and human-rights governance and the rectification of all forms of inequality and discrimination by criticizing Government activities and misguided action by the administration. The near total freedom they enjoy since the fall of the Berlin Wall and the resurgence of democracy in Africa should lead them in that direction. Unfortunately, the media use their freedom in a way that is contrary to their mission, which is, in principle, to educate, inform and entertain.

56. The African media have a great deal of difficulty in shaping public opinion. The function of education assumes that journalists have a good knowledge of the subject matter, education and at least a slight sense of pedagogy. In most cases, it involves a certain amount of objectivity on the part of the educator, whose intent is to encourage behaviour that is in the public interest, not to manipulate the reader or listener in any way. Education also implies that facts are communicated impartially and are clearly distinguishable from the opinions of the author in order to allow the audience to form its own opinion. The African media, which often include rumours and false information in their reports, at times fall well short of the professional standards that are expected of them. However, when their work respects the rules of good practice, it is useful in helping people understand the new concept of sustainable development, its 17 goals and 169 targets, and the process that should, by 2030, enable all the peoples of the world to live happy lives in a world that is free of hunger and where the environment is respected in order to ensure the well-being of current and future generations. African media and administrations should move in that direction resolutely and with the utmost professionalism, ensuring that they employ professional journalists, not freelancers trained on the job.

57. African States failed to achieve most of the eight Millennium Development Goals by 2015 for a different reason. The foregoing discussion of the various public and private institutions and mechanisms clearly shows that there are weaknesses at every level. If the 2030 Agenda for Sustainable Development is to be achieved, there must be a leap forward in terms of improving and increasing the effectiveness of oversight, control, monitoring and evaluation of Government action.

IV. Prospects for effective oversight of action by the public administration: improvement and innovation

58. The outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want",[22] aims to achieve the harmonious development of all peoples of the world, leaving no one behind. This objective led to the adoption of the 2030 Agenda for Sustainable Development by the General Assembly on 25 September 2015. The 2030 Agenda is as ambitious as it is exciting; it envisages the eradication of poverty across the globe[23] through the incorporation of a sustainable development dimension everywhere and across all public and private action. This is a new way of thinking, leading to new behaviours, which are not automatic.

59. Understanding the concept of sustainable development, incorporating its three dimensions (economic, social and environmental) into public policy in a balanced

[22] General Assembly resolution 66/288 of 27 July 2015.

[23] Unlike the Millennium Development Goals, which only aimed to reduce poverty.

manner and ensuring that the concept is reflected in the everyday behaviour of the administration will require increased expertise within both the administration and the institutions called upon to support it or to provide oversight and control in the public interest. Significant improvements will be necessary to increase the likelihood of achieving the Sustainable Development Goals.

A. Improvements

60. The significant improvements that will have to be made to ensure that no one is left behind on the road to sustainable development involve parliaments, justice and civil society.

1. Make parliaments a true counterbalance

61. Neither true democracy nor sustainable development can be achieved if the basic role of parliament is to unreservedly support the Government. Parliament should act as a real counterbalance, in accordance with the function assigned to it by Montesquieu. As Beaumarchais said, "without the freedom to criticize, there is no true praise". Parliament must be able to fully exercise its political role, even when the parliamentary majority coincides with the presidential majority because, ultimately, power and the political community exist not to defend a particular political movement but to realize the dreams of the people.

62. To that end, it will be necessary to introduce the innovation of a true culture of oversight and to enhance and strengthen the capacities of African parliaments.

63. The culture of oversight has not yet been achieved at the parliamentary or the governmental level; governments tend to interpret every criticism as a crime of lèse-majesté. Parliamentarians should become aware that they have two roles: to support the Government in achieving common objectives and, still in the public interest, to ensure that the Government tirelessly pursues the achievement of the objectives defined in agreement with Parliament. If a parliament fulfils one of those roles only partially or in a way that is detrimental to the other, its mission is incomplete. Beyond oral and written questions and interpellation, parliaments should be able to establish commissions of inquiry and carry them through to the completion of their mandate. Just as the proponents of "enlightened absolutism"[24] foresaw that a ruler's position would only gain more strength and support if the people were granted certain "lights" (rights such as freedom of belief, justice and equality), a parliament that more effectively oversees Government action will only strengthen democracy, progress towards development and, consequently, confidence in the political system.

64. That desirable development implies significant capacity-building at both the human and the technical and technological levels. Where it is not possible to elect competent individuals who are able to be immediately effective, there should be a particular emphasis on the training of parliamentarians with the involvement of the relevant international institutions. Training should focus primarily on governance and the role of parliamentary assemblies in sustainable development. In order to be

[24] Georges Lescuyer, *Histoire des idées politiques*, Précis, Droit public et science politique Series, 14th ed. (Paris, Dalloz, 2001), pp. 282 et seq.

useful, it should take place whenever a new parliament is formed and be followed up with periodic refresher training.

65. African parliaments should also have their support staff strengthened. They are notoriously lacking in competent technical and administrative staff, who usually facilitate the work of members of parliament and conduct research and thematic studies to inform their decisions. It is also these members of staff who carry out the necessary regulatory monitoring of parliamentarians' responses. Currently, the small number and weak skills of such staff are undermining the oversight role of parliaments. Recruiting personnel in line with predefined profiles and training them to be competent collaborators would advance parliaments' mission to achieve the Sustainable Development Goals.

66. All of the above will require modern equipment and the use of information and communications technology, in addition to suitable and sufficiently spacious premises. Information and communications technology has been shown to promote progress in accessing and handling information and provides access to information on good practices and innovations from other countries. It is therefore essential to ensure that these tools, including the Internet, are used by competent staff and that sufficient output is produced.

67. This raises the issue of the funds necessary for the achievement of the Sustainable Development Goals, in light of the paucity of internal resources in the least developed countries. It would be desirable for the international community to take swift action to help the least developed countries increase their domestic resources through fiscal reform and innovation in accordance with the requirements for sustainable development, as recommended in the 2030 Agenda for Sustainable Development. The private sector and all other sources of innovative financing should also contribute to that effort.

2. Strengthen the role of the justice system

68. The courts must become the promoters and guarantors of democracy and also support efforts to clean up and improve the business environment. This will be achieved only if judges are not beholden in any way to the authorities, party preferences or economic interests. Sustainable development requires an independent justice system that is guided solely by the law and protects rights and freedoms. Appropriate laws on these matters are in place. However, judges who are in thrall to their political preferences or the lure of promotion or illicit gains find it difficult not to be influenced by these considerations. Likewise, administrations may be unhappy when the courts rule against them, considering the slightest unfavourable decision to be a personal failure that undermines their authority and credibility. What is needed, then, is a revolution in attitudes, since the efforts made by African States with regard to the status, remuneration and privileges of judges have had little impact in terms of making the latter more mindful of their independence and of their duty to serve the law and the public interest.

69. The justice system contributes to growth and economic development when its actions inspire the confidence of investors and economic operators, who need to be reassured not only that economic regulation is stable but also that non-compliance with the rules will be punished promptly and impartially by the courts in the event of a dispute. Hence the importance of the courts' independence and of a prompt procedure for the resolution of trade disputes. The effort by States to establish an

arbitral tribunal for that purpose is encouraging, since members will undertake to act promptly, independently and with impartiality.

70. Arbitral tribunals will not, however, be able to settle all economic disputes. Some cases will come before the courts; it is important that the latter inspire confidence. They can do so only by facilitating access to justice, by ensuring equality before the courts, which includes not giving any party an advantage by needlessly prolonging proceedings, and by basing their decisions on the solid foundations of the law. They can also inspire confidence by requiring the administration to respect the law it has itself established. By taking bold decisions in the settlement of disputes with the administration, the courts will foster stakeholders' confidence in the rules governing economic activity and thus contribute to the achievement of the Sustainable Development Goals.

71. The conditions to be met are relatively straightforward: (a) do no more than state the law; (b) foster the independence and impartiality of the courts vis-à-vis the Government and economic interests; and (c) provide the courts with appropriate technical resources. The courts alone are responsible for ensuring that the first two conditions are met, since laws guaranteeing the independence and impartiality of the courts are already in place. Otherwise, it is the Government's responsibility to ensure that the rules on combating corruption, which are also in place, are strictly enforced. The third condition can be met through decisive action by the Government and the participation of the international community.

3. Make civil society an advocate for sustainable development

72. In order for the aforementioned suggestions to be successfully implemented, an organized, strong and responsible civil society is needed. In the inclusive society advocated by the development agenda, action by all, in particular civil society, is paramount. This can be seen in the democratic changes in Africa. It can also be seen at the global level: non-governmental organizations and civil society are the drivers of change in States with regard to the issue of global warming and the protection of biodiversity, for example. In that sense, civil society spurs change. Beyond the issue of climate change, civil society should serve the cause of sustainable development.

73. It is therefore important for civil society in Africa to recognize its power and the driving role that it can play in achieving sustainable development. It must be able to act not only as a force for pressure but also as the guardian of democracy and sustainable development — a source of proposals appropriate to the national environment. This means identifying shortcomings but, even better, proposing credible and innovative alternatives, since the post-2015 development agenda itself affirms that all issues must be discussed and resolved in the light of each country's individual characteristics. This requires stakeholders to understand not only the substance and requirements of sustainable development but also the nature of their contribution within this new framework.

74. To that end, it is vital: (a) that civil society organize itself; (b) that individual associations join forces; (c) that a strong leadership emerge to serve as an interlocutor with the authorities and other stakeholders in sustainable development; (d) that civil society actors set an example with regard to good governance, integrity and an exclusive focus on defending collective interests; and (e) that they build their activities from the grass-roots level, since one of the objectives of sustainable development is to ensure that no one is left behind.

75. This also requires a sustained and rigorous process of capacity-building and the training and retraining of stakeholders, in particular their leaders. Non-governmental organizations and civil society in developed countries, and also certain international institutions, can be of great assistance in this regard.

76. The media in general and privately owned media in particular play an important role in shaping public opinion and raising public awareness. Their activities are vital in ensuring that civil society is aware of its own role and power; the media must also understand their role and be prepared to play it in an honest and responsible manner in accordance with a combined code of ethics and good practice. Private media outlets will be able to play their part in raising awareness of sustainable development only if they themselves are prepared to make sacrifices for the sake of professionalism and the collective interest. This is a huge undertaking, but not impossible.

77. These improvements and changes in attitudes will not be fully realized without certain innovations.

B. Innovate in order to improve on the past

78. Improvements in the activities of the different mechanisms and institutions carrying out oversight of the administration are clearly welcome but will be insufficient on their own. In addition to the proposals already made, it will be necessary to increase the number of private oversight institutions and mechanisms and to give them proper professional status. When internationally renowned credit-rating agencies assess and rate the economy of a State or an institution, that State or institution may not be happy with the rating, but the agencies' professionalism is never questioned. States should aspire to have institutions of similar calibre at the national level. The outcomes of inquiries and reviews should come from organizations whose competence cannot be called into question by anyone, least of all the administration.

79. Lastly, it must be acknowledged that, in order to avoid the fate of past concepts that have had no impact, sustainable development must be thoroughly understood by all economic and social actors. It is therefore important to design and put in place at the national level a "superstructure" to monitor the achievement of the Sustainable Development Goals: with the involvement of all stakeholders, its task would be to optimize coordination; to monitor, on the basis of reports and reviews produced by ministries and authorized bodies, the implementation of public policies formulated in a participatory manner; to carry out its own assessments; and to recommend to the Government the corrective action necessary in order to achieve sustainable development. In order to increase its effectiveness, this structure should report to the Head of Government and be chaired by him or her. Placing it at a lower level would render it ineffective, particularly in African States where attention is paid only to pronouncements from the top.

80. We believe that these measures, which do not constitute an exclusive or exhaustive list, could contribute to public oversight of the administration's actions, which would give the Sustainable Development Goals a chance of success.

V. Conclusion

81. Nonetheless, it must be admitted that, whatever oversight mechanisms are envisaged and whatever resources are put in place, the achievement of the Sustainable Development Goals requires strong leadership and unconditional commitment both on the part of governments and other stakeholders and on the part of the public itself. Sustainable development is the concern not only of governments and of the entities responsible for oversight; it is the concern of all.